

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOO Comments	Proposed NTL 200X-GXX				OOO Comments
Section	Text	Proposed Regulation	Draft May 17, 2002				NTL 200X-GXX
	General Information						
250.200	Definitions Acronyms and terms used in this subpart have the following meanings:						
200(a)	Acronyms used frequently in the rule are alphabetically listed here: CID means Conservation Information Document CZM means Coastal Zone Management DOCD means Development Operations Coordination Document DPP means Development and Production Plan DWOP means Deepwater Operations Plan EIA means Environmental Impact Analysis EP means Exploration Plan. NPDES means National Pollutant Discharge Elimination System NTL means Notice to Lessees and Operators						
200(b)	Terms used in this subpart are listed below: Act means the Outer Continental Shelf Lands Act, 43 U.S.C. 1331 et seq. Amendment means a change you make to an Exploration Plan, Development and Production Plan, or Development Operations Coordination Document that is pending before MMS for a decision (see §§ 250.232(d) and 250.267(d)). Ancillary activities means those activities on your lease or unit that: (1) You conduct to obtain information to ensure the proper exploration or development of your lease or unit; (2) Do not need to be covered by an approved Exploration Plan (EP), Development and Production Plan (DPP), or Development Operations Coordination Document (DOCD); and (3) You can conduct without MMS approval of an application or permit. Development means those activities that take place following discovery of minerals in paying quantities, including but not limited to geophysical activity, drilling, platform construction, and operation of all directly related onshore support facilities, and which are for the purpose of producing the minerals discovered (see § 250.105). Development geophysical activities means those geophysical and related data-gathering activities on your	It is confusing to have terms defined in this section and also in 30 CFR 250.105. We recommend that all definitions not directly related to plans be located in 250.105. The terms that would remain in this section would be Amendment, Modification, Resubmitted OCS Plan, Revised OCS Plan, Supplemental OCS Plan.  For the definition of “Development geophysical activities” it is not clear that shallow hazards studies are excluded. We recommend that the definition be reworded to the following: “Development geophysical activities means those geophysical and related data-gathering activities on your lease or unit that take place following discovery of oil, gas, or sulphur in paying quantities that detect or imply the presence of oil, gas or sulphur in commercial quantities.  For the definition of “New or unusual technology”, it should be clarified that extensions of existing technology which do not meet the criteria of (1) Function in a manner that potentially causes different impacts to the environment than the equipment or procedures did in the past, should not	Deepwater means those water depths greater than or equal to 400 meters (1,312 feet).  Eastern Planning Area means the area of the Gulf of Mexico (GOM) Outer Continental Shelf bounded by lines extending seaward from Mobile Bay, Alabama, and Key West, Florida. Refer to the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/offshore/plans_permits/czmmaps.html">http://www.gomr.mms.gov/homepg/offshore/plans_permits/czmmaps.html</a> for a map showing the exact boundaries.  Flower Garden Banks Protective Zone means that area of the GOM OCS consisting of the following blocks:				We recommend that these definitions be incorporated in the regulation.  Under the definition of “OCS Plan” we recommend that you include “Development and Production Plan (DPP)”.
			HI A-351	HI A-376	HI A-395	GB 135	
			HI A-352	HI A-377	HI A-396	GB 136	
			HI A-353	HI A-378	HI A-397	GB 138	
			HI A-354	HI A-379	HI A-398	GB 139	
			HI A-355	HI A-380	HI A-399	GB 140	
			HI A-361	HI A-381	HI A-400	GB 177	
			HI A-362	HI A-382	HI A-401	GB 178	
			HI A-363	HI A-383	HI A-402	GB 179	
			HI A-364	HI A-384	HI A-403	GB 180	
			HI A-365	HI A-385	HI A-573	EB 173	

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX				OOC Comments																																	
Section	Text	Proposed Regulation	Draft May 17, 2002				NTL 200X-GXX																																	
	<p>lease or unit that take place following discovery of oil, gas, or sulphur in paying quantities.</p> <p><u>Exploration</u> means the commercial search for oil, gas, or sulphur. Activities classified as exploration include but are not limited to:</p> <p>(1) Geophysical and geological (G&amp;G) surveys using magnetic, gravity, seismic reflection, seismic refraction, gas sniffers, coring, or other systems to detect or imply the presence of oil, gas, or sulphur; and</p> <p>(2) Any drilling conducted for the purpose of searching for commercial quantities of oil, gas, and sulphur, including the drilling of any additional well needed to delineate any reservoir to enable the lessee to decide whether to proceed with development and production (see § 250.105.)</p> <p><u>Geophysical and geological explorations</u> means those geophysical and geological surveys on your lease or unit that use seismic reflection, seismic refraction, magnetic, gravity, gas sniffers, coring, or other systems to detect or imply the presence of oil, gas, or sulphur in commercial quantities.</p> <p><u>Modification</u> means a change required by the Regional Supervisor to an EP, DPP, or DOCD (see § 250.233(b)(2) for an EP, or § 250.270(b)(2) for a DPP or a DOCD) that is pending before MMS for a decision because the OCS plan is inconsistent with applicable requirements.</p> <p><u>New or unusual technology</u> means equipment and/or procedures that:</p> <p>(1) Function in a manner that potentially causes different impacts to the environment than the equipment or procedures did in the past;</p> <p>(2) Have not been used previously or extensively in an MMS OCS Region;</p> <p>(3) Have not been used previously under the anticipated operating conditions; or</p> <p>(4) Have operating characteristics that are outside the performance parameters established by this Part.</p> <p><u>Production</u> means those activities that take place after the successful completion of any means for the removal of minerals, including such removal, field operations, transfer of minerals to shore, operation monitoring, maintenance, and workover operations (see§ 250.105).</p> <p><u>Prospect</u> means a geologic feature having the potential for</p>	<p><i>be considered as “New or Unusual Technology”</i></p> <p><i>We recommend that the definition be reworded to the following: New or unusual technology means equipment and/or procedures that: (1) Have not been used previously or extensively in an MMS OCS Region; (2) Have not been used previously under the anticipated operating conditions; or (3) Have operating characteristics that are outside the performance parameters established by this Part; AND (4)Function in a manner that potentially causes different impacts to the environment than the equipment or procedures did in the past.” It is our understanding that at least in the GOM Region, an internal list of technology that is to be considered “new or unusual” is maintained by MMS. While we recognize that this list is periodically updated as technology moves out of the new or unusual category and may not cover everything that could be considered new or unusual, it would be helpful to industry for MMS to make this list available by posting it on the web site.</i></p> <p><i>We note that in 30 CFR 250.201(c) the term “comprehensive environmental management plan” is used. Please provide a definition for this term.</i></p>	<table><tr><td>HI A-366</td><td>HI A-386</td><td>HI A-596</td><td>EB 217</td></tr><tr><td>HI A-367</td><td>HI A-387</td><td>GB 95</td><td></td></tr><tr><td>HI A-368</td><td>HI A-388</td><td>GB 96</td><td></td></tr><tr><td>HI A-373</td><td>HI A-389</td><td>GB 97</td><td></td></tr><tr><td>HI A-374</td><td>HI A-390</td><td>GB 133</td><td></td></tr><tr><td>HI A-375</td><td>HI A-394</td><td>GB 134</td><td></td></tr></table> <p><b>HI = High Island; GB = Garden Banks; EB = East Breaks</b></p> <p><u>New or unusual technology</u> means equipment and/or procedures that:</p> <p>(1) Function in a manner that potentially causes different impacts to the environment than the equipment or procedures did in the past;</p> <p>(2) Have not been used previously or extensively in an MMS OCS Region;</p> <p>(3) Have not been used previously under the anticipated operating conditions; or</p> <p>(4) Have operating characteristics that are outside the performance parameters established by 30 CFR 250.</p> <p><u>OCS Plan</u> means an Exploration Plan (EP) or a Development Operations Coordination Document (DOCD).</p> <p><u>Stetson Bank Protective Zone</u> means that area of the GOM OCS consisting of the following blocks:</p> <table><tr><td>HI A-486</td><td>HI A-502</td><td>HI A-514</td></tr><tr><td>HI A-487</td><td>HI A-503</td><td>HI A-527</td></tr><tr><td>HI A-488</td><td>HI A-512</td><td>HI A-528</td></tr><tr><td>HI A-501</td><td>HI A-513</td><td>HI A-529</td></tr></table> <p>HI = High Island</p> <p><u>Topographic Feature</u> means a feature that provides habitat for sensitive hard-bottom benthic communities. Refer to NTL No. 98-12, “Implementation of Consistent Biological Stipulation Measures in the Central and Western Gulf of Mexico,” dated August 10, 1998, for a listing of the OCS blocks affected by the topographic features lease stipulation.</p>	HI A-366	HI A-386	HI A-596	EB 217	HI A-367	HI A-387	GB 95		HI A-368	HI A-388	GB 96		HI A-373	HI A-389	GB 97		HI A-374	HI A-390	GB 133		HI A-375	HI A-394	GB 134		HI A-486	HI A-502	HI A-514	HI A-487	HI A-503	HI A-527	HI A-488	HI A-512	HI A-528	HI A-501	HI A-513	HI A-529	
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**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments								
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX								
	mineral deposits. <u>Resubmitted OCS plan</u> means an EP, DPP, or DOCD that contains changes you make to a plan that MMS has disapproved. <u>Revised OCS plan</u> means an EP, DPP, or DOCD that proposes changes to an approved OCS plan, such as those in the location of a well or platform, type of drilling unit, or location of the onshore support base (see § 250.283(a)). <u>Supplemental OCS plan</u> means an EP, DPP, or DOCD that proposes the addition to an approved OCS plan of an activity that requires approval of an application or permit (see § 250.283(b)).											
250.201	<b>What plans and information must I submit before I conduct any activities on my lease or unit?</b>											
201(a)	<u>Plans and documents.</u> Before you conduct any activities on your lease or unit, you must submit, and MMS must approve, the following plans and documents. Your plans and documents may cover one or more leases or units.	<i>We disagree that all of the listed plans must be approved prior to conducting any activities. For example, it may be necessary or desirable to install mooring piles well in advance of installing a floating facility. This activity would normally be a part of a DPP or DOCD and would also be described in a DWOP. We should not be prevented from performing this activity due to the CID not being approved. Rather, the approval of the DPP or DOCD should state that the wells cannot be produced until the CID is approved.</i>  <i>In many cases, a well may be drilled as an exploratory well under an Exploration Plan and if hydrocarbons in paying quantities are discovered, the well will be completed prior to demobbing the drilling rig off location. This is especially true for subsea wells. Therefore, we request the following modifications to:</i> <i>(2) Development and Production Plan (DPP) You must submit a DPP before you conduct any development and production activities on a lease or unit in any OCS area other than the western GOM. A well may be drilled and completed under an Exploration Plan, but not produced until a DPP has been approved;</i>  <i>(3) Development Operations Coordination</i>										
	<table><tr><th>You must submit a(n)...</th><th>Before you ...</th></tr><tr><td>(1) Exploration Plan (EP)</td><td>Conduct any exploration activities (see definition under § 250.105) on a lease or unit.</td></tr><tr><td>(2) Development and Production Plan (DPP)</td><td>Conduct any development and production (see definition under § 250.105) activities on a lease or unit in any OCS area other than the western Gulf of Mexico (GOM) (see definition under § 250.105).</td></tr><tr><td>(3) Development Operations Coordination Document (DOCD)</td><td>Conduct any development and production activities on a lease or unit in the western GOM</td></tr></table>				You must submit a(n)...	Before you ...	(1) Exploration Plan (EP)	Conduct any exploration activities (see definition under § 250.105) on a lease or unit.	(2) Development and Production Plan (DPP)	Conduct any development and production (see definition under § 250.105) activities on a lease or unit in any OCS area other than the western Gulf of Mexico (GOM) (see definition under § 250.105).	(3) Development Operations Coordination Document (DOCD)	Conduct any development and production activities on a lease or unit in the western GOM
	You must submit a(n)...				Before you ...							
	(1) Exploration Plan (EP)				Conduct any exploration activities (see definition under § 250.105) on a lease or unit.							
(2) Development and Production Plan (DPP)	Conduct any development and production (see definition under § 250.105) activities on a lease or unit in any OCS area other than the western Gulf of Mexico (GOM) (see definition under § 250.105).											
(3) Development Operations Coordination Document (DOCD)	Conduct any development and production activities on a lease or unit in the western GOM											

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation			OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text		Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
	(4) Deepwater Operations Plan (DWOP)	(i) Conduct any activities in any water depth associated with: (A) A development project that will involve the use of a floating production system; or (B) A development project that will involve the use of subsea production technology.	<i>Document (DOCD): You must submit a DOCD before you conduct any development and production activities on a lease or unit in the western GOM. A well may be drilled and completed under an Exploration Plan, but not produced until a DOCD has been approved;</i>  <i>(5 )Conservation Information Document (CID) (ii) wells drilled and completed under an EP meeting the description of i(A) or (B) must file a CID within 60 days of completing the drilling and logging operations. Approved completion operations are allowed to proceed prior to the approval of the CID. The CID must be approved prior to production of the well.</i>  <i>Under the requirements to have an approved EP, DPP or DOCD under (6), it is not clear what information would need to be provided in an EP, DPP or DOCD. It is also not clear what the difference is between (6)(C) and (6)(D) since under (D) the Regional Supervisor has the right to determine that an EP, DPP or DOCD is necessary if the performance standard in 250.202(e) is not complied with.</i>  <i>We also note that currently under the provisions of NTL 2000-N05, that Conservation Information is submitted as a part of supplemental EPs or initial or supplemental DOCDs. We agree that approval of supplemental EPs or DOCDs should not be dependent on the approval of CIDs.</i>		
	(5) Conservation Information Document (CID)	(i) Conduct any activities associated with: (A) A development project that will involve the use of a structure other than a conventional steel-piled jacket platform in water depths greater than 1,312 feet (400 meters); or (B) A development project that will involve the use of subsea production technology at any water depth.			

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation			OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text		Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
	(6) EP, DPP, or DOCD	(i) Conduct a geophysical and geological exploration or a development geophysical activity (see definitions under § 250.200) on your lease or unit when: (A) It will result in a physical penetration of the seabed greater than 500 feet (152 meters); (B) It will involve the use of explosives; (C) The Regional Director determines that it might have a significant adverse effect on the human, marine, or coastal environment; or (D) The Regional Supervisor, after reviewing a notice under § 250.209, determines that an EP, DPP, or DOCD is necessary.			
201 (b).	<u>Submitting additional information.</u> On a case-by-case basis, the Regional Supervisor may require you to submit additional information if the Regional Supervisor determines that it is necessary to evaluate your proposed plan or document.				
201 (c)	<u>Limiting information.</u> The Regional Director may limit the amount of information or analyses that you otherwise must provide in your proposed plan or document under this subpart when: (1) Sufficient information or analysis is readily available to MMS; (2) Other coastal or marine resources are not present or affected; (3) You conduct activities according to a comprehensive environmental management program; or (4) Other factors such as technological advances affect information needs.		201(c) refers to a “comprehensive environmental management program”. Please provide a definition of such a program.		

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
<b>201 (d)</b>	<u>Referencing</u> . In preparing your proposed plan or document, you may reference information and data discussed in other plans or documents you previously submitted or that are otherwise readily available to MMS.	<i>We fully support referencing information and data previously submitted or otherwise readily available to MMS. However, in practice, we find that many times MMS requires duplicative information to be submitted. We presume this is for the reviewer's convenience so he/she does not have to locate material in other plans and in MMS files. We encourage MMS to utilize previously submitted information whenever possible.</i>		
<b>250.202</b>	<b>What criteria must the Exploration Plan (EP), Development and Production Plan (DPP), or Development Operations Coordination Document (DOCD) meet?</b> Your EP, DPP, or DOCD must demonstrate that you have planned and are prepared to conduct the proposed activities in a manner that:			
<b>202(a)</b>	Conforms to the Act, as amended, applicable implementing regulations, and lease provisions and stipulations			
<b>202(b)</b>	Is safe;			
<b>202(c)</b>	Conforms to sound conservation practices and protects the rights of the lessor;			
<b>202(d)</b>	Does not unreasonably interfere with other uses of the OCS, including those involved with national security or defense; and			
<b>202(e)</b>	Does not cause undue or serious harm or damage to the human, marine, or coastal environment.			
<b>250.203</b>	<b>Where can wells be located under an EP, DPP or DOCD?</b>			
	The Regional Supervisor reviews and approves proposed well location and spacing under an EP, DPP or DOCD. In deciding whether to approve a proposed well location and spacing, the Regional Supervisor will consider factors including, but not limited to, the following: (a) Protecting correlative rights; (b) Recovering optimum resources; (c) Number of wells that can be economically drilled for proper reservoir management; (d) Location of drilling units and platforms; (e) Extent and thickness of the reservoir; (f) Geologic and other reservoir characteristics; (g) Minimizing environmental risk;	<i>We recommend that (b) be changed to "Recovering optimum reserves;" economics should always be considered in the recovery of hydrocarbons.</i>  <i>It is unclear how this matches up with the requirements and approval of the CID for development plans. If MMS is reviewing this information under the DPP or DOCD and then again under the CID, it appears that duplicative work is being conducted by MMS.</i>  <i>What is the difference between (c) and (i)?</i>		

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	(h) Preventing unreasonable interference with other uses of the OCS; and (i) Drilling of unnecessary wells.			
<b>250.204</b>	<b>How must I protect MMS' rights?</b> (a) You must either: (1) Drill and produce the wells that the Regional Supervisor determines are necessary to protect MMS from loss due to production on other leases or units; or (2) Pay a sum that the Regional Supervisor determines and approves as adequate to compensate MMS for your failure to drill and produce any well. (b) Payment under paragraph (a)(2) of this section constitutes production in paying quantities for the purpose of extending the lease term. (c) You must complete and produce any penetrated hydrocarbon-bearing zone that the Regional Supervisor determines is necessary to conform to sound conservation practices.			
<b>250.205</b>	<b>Are there special requirements if my well affects an adjacent property?</b> For wells that could intersect or drain an adjacent property, the Regional Supervisor may require special measures to protect the rights of MMS and objecting lessees or operators of adjacent leases or units.			
<b>250.206</b>	<b>How do I submit the EP, DPP, or DOCD?</b>			
<b>206(a)</b>	<u>Number of copies.</u> When you submit an EP, DPP, or DOCD to MMS, you must provide: (1) Four copies that contain all required information (proprietary copies); Eight copies for public distribution (public information copies) that omit information that you assert is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552) and the implementing regulations (43 CFR part 2); and (3) Any additional copies that may be necessary to facilitate review of the EP, DPP, or DOCD by certain affected States.	<i>Since the number of copies may change from time to time, and may be different for various plans, it may be more appropriate to put the details in a NTL. For example, as required in NTL 2002 G-08, not all plans require 8 public information copies.</i>		
<b>206(b)</b>	<u>Mailing Addresses.</u> Submit EPs, DPPs, and DOCDs for activities in the OCS to one of the following addresses: (1) For the OCS off the State of Alaska - Minerals Management Service, Alaska OCS Region Regional Supervisor, Field Operations	<i>Since the MMS addresses may change from time to time, it may be less burdensome to provide this information in a NTL and alleviate the necessity for a rulemaking effort to change an address.</i>		

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOO Comments	Proposed NTL 200X-GXX	OOO Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
	949 East 36 <sup>th</sup> Avenue, Room 308 Anchorage, AK 99508-4363 (2) For the OCS off the Atlantic Coast States and in the Gulf of Mexico - Minerals Management Service, Gulf of Mexico OCS Region Regional Supervisor, Field Operations 1201 Elmwood Park Boulevard New Orleans, LA 70123-2394 (3) For the OCS off the States of California, Oregon, Washington, or Hawaii - Minerals Management Service, Pacific OCS Region Regional Supervisor, Office of Field Operations 770 Paseo Camarillo Camarillo, CA 93010-6064			
206(c)	<u>Electronic Submission.</u> The Regional Supervisor may require that you submit part or all of your EP, DPP, or DOCD and its accompanying information electronically. If it is not required but you prefer to submit your EP, DPP, or DOCD electronically, ask the Regional Supervisor for further guidance.	<i>The regulation should not include a provision requiring electronic submittals when no details of the requirements have been provided for comment. This should be the subject of a subsequent rulemaking if electronic submittals are required.</i>  <i>We support the options for voluntary electronic submittals that have been provided in NTL 2002 G-08 and support including this information in the regulation.</i>  <i>We are concerned over the details on how electronic submittals are handled by MMS. How will the confidential information be handled and be secured? How will the information be made available to the various MMS reviewers? Will the information be released in an electronic format to other federal agencies and state agencies?</i>		
	<u>Withdrawal after submission.</u> You may withdraw your proposed EP, DPP, or DOCD at any time for any reason. Notify the appropriate MMS OCS Region at the address in paragraph (b) of this section.			
	<b>Ancillary Actions</b>			
250.207	<b>What ancillary activities may I conduct?</b>			
	Before or after you submit an EP, DPP, or DOCD to MMS, you may elect, the regulations in this part may require, or the Regional Supervisor may direct you to			



**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	conduct ancillary activities. Ancillary activities include: (a) Geophysical and geological explorations, and development geophysical activities, except those that must be covered by an EP, DPP, or DOCD under § 250.201(a)(6), or § 250.209. (b) Geological hazards, geotechnical, archaeological, biological, physical oceanographic, meteorological, socioeconomic, or other surveys; or (c) Studies that model potential oil and hazardous substance spills, drillings muds and cuttings discharges, projected air emissions, or potential hydrogen sulfide (H <sub>2</sub> S) releases.			
<b>250.208</b>	<b>If I conduct ancillary activities, what notices must I provide?</b> At least 30 calendar days before you conduct any geophysical and geological exploration or development geophysical activity (see § 250.207(a)), you must notify the Regional Supervisor in writing. (a) When you prepare the notice, you must: (1) Sign and date the notice; (2) Provide the names of the vessel, its operator, and the person(s) in charge; the type(s) of operations you will conduct; and the instrumentation/techniques and vessel navigation you will use; (3) Provide expected start and completion dates and the location of the activity; and (4) Describe the potential adverse environmental effects of the proposed activity and any mitigation to eliminate or minimize these effects on the marine, coastal, and human environment. (b) The Regional Supervisor may require you to: (1) Give written notice to MMS before you conduct any other ancillary activity in addition to those listed in § 250.207(a); and (2) Notify other users of the OCS before you conduct any ancillary activity.	<i>As we understand this section, notices are required for those activities that are conducted on individual leases that are similar to the ones covered under 250.251 for unleased areas or areas leased to third parties.</i>  <i>We assume that this notice requirement does not apply to shallow hazard surveys or any of the other ancillary activities (other than geophysical and geological explorations and development geophysical activity) identified in 250.207. Based on the language in (b)(1) we assume that MMS cannot require notices for the other listed ancillary activities in 250.207 without a change in regulation. If this is not correct, then we strongly object to a 30 day notice period for the other listed ancillary activities. This would be extremely burdensome and slow down reserve development.</i>  <i>(b)(1) This requirement is very broad and confusing. What other activities could be considered ancillary activities?</i>  <i>(b)(2) This is an overly broad requirement. Insufficient detail is provided in order for us to appropriately comment. Under what circumstances would this be done? Who would we be required to notify? How would it be done? What would be the timeframe for the notice? We believe that this requirement should be taken from the regulation and</i>		

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
		<i>be covered under a separate rulemaking if notice is to be required.</i>		
<b>250.209</b>	<b>What is the MMS review process for the notice?</b> The Regional Supervisor will review any notice required under § 250.208(b) to ensure that your ancillary activity complies with the performance standards listed in § 250.202 (a), (b), (d), and (e). Under § 250.106, the Regional Supervisor may notify you that your ancillary activity does not comply with those standards. In such a case, the Regional Supervisor will require you to submit an EP, DPP, or DOCD, and you may not start your ancillary activity until the Regional Supervisor approves the EP, DPP, or DOCD.			
<b>250.210</b>	<b>If I conduct ancillary activities, what reporting and data/information retention requirements must I satisfy?</b> (a) <u>Reporting</u> . The Regional Supervisor may require you to prepare and submit a report that summarizes and analyzes data or information obtained or derived from your ancillary activities. (b) <u>Data or information retention</u> . You must retain copies of all original survey and study data or information obtained or derived from your ancillary activities, including any data or information obtained from previous leaseholders or unit operators. You must retain these records, including navigation data, and submit them to MMS for inspection and possible retention upon request at any time before lease or unit termination.	<i>(a) When will MMS require that a report be submitted? How much time would the operator have until the report was due? What would be the required analysis? What would be data or information derived from the ancillary activities? Would it be held confidential? This requirement is overly broad without enough detail to properly comment. We recommend that MMS remove this from the proposed regulation and that it be covered under a subsequent rulemaking when sufficient information is available for comment.</i>  <i>(b) We do not believe that it is appropriate for MMS to require operators to retain copies of all information derived from ancillary activities. Many times, there may be studies based on the information from a study that are used for other purposes than exploring or developing a lease that are done for our benefit that we should not have to retain. We have no problem with retaining the raw data and making it available to MMS.</i>		
	<b>Contents of Exploration Plans (EP)</b>			
<b>250.211</b>	<b>What must the EP include?</b>			
	Your EP must include the following:			
<b>211(a)</b>	<u>Description, objectives, and schedule</u> . A description, discussion of the objectives, and tentative schedule (from start to completion) of the exploration activities that you propose to undertake. (Examples of exploration activities are: exploration drilling; well test flaring; installing a well	<i>For overall clarity, we recommend that the seismic activity language be moved from this section to 250.207(a). Also, we recommend including well completion (not production) as an example of an exploratory activity.</i>	<u>Plan information form</u> . Using the form in Appendix A of this NTL, provide information concerning your proposed activities.	<i>The form only provides a way to list the specific anchor locations to be utilized. In many cases, these may not be known. Provisions should be made to give a anchor radius in lieu of the anchor</i>

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX						OOC Comments																		
Section	Text	Proposed Regulation	Draft May 17, 2002						NTL 200X-GXX																		
	protection structure; temporary well abandonment; and in the MMS Alaska and Pacific OCS Regions, 2-D, 3-D, 4-D, and multicomponent seismic activities.)								<i>locations.</i>  <i>We suggest that the information requested be consisted with the location information requested on APDs.</i>																		
211(b)	A map showing the surface and bottom-hole location and water depth of each proposed well and the locations of all associated drilling unit anchors.	<i>We believe there is no purpose in showing the water depth of the bottom hole location and therefore they should not be required.</i>  <i>Also, what is the purpose of showing on a bathymetry map? Could this information be provided in a table instead of a map?</i>	(b) <u>Location</u> . Provide a map at a scale of 1 inch = 2,000 feet on an 8½-inch by 11-inch sheet of paper that depicts the surface location and water depth of each proposed well and production facility, and the proposed locations of all associated drilling unit and construction barge anchors. If you do not know the proposed anchor locations, you may show the maximum anchor radius instead.						<i>Why does a map need to be provided? The information could be provided on the form in Appendix A.</i>  <i>We also recommend that if proposed anchor locations are provided that the touch down points also be shown.</i>																		
211(c)	<u>Drilling unit</u> . A description of the drilling unit and associated equipment you will use to conduct your proposed exploration activities, including a brief description of important safety and pollution prevention features, and a table indicating the type and the estimated maximum quantity of fuels, oil, and lubricants that will be stored on the facility (see third definition of facility under § 250.105).	<i>We believe that it is overly burdensome and serves no meaningful purpose to provide this information for fuels, oil and lubricants that are stored on the facility in very small quantity. We recommend that this be limited to fuels, oil and lubricants that are stored in quantities greater than 25 barrels.</i>  <i>In many cases at the time an EP is filed, the specific rig or rigs to be utilized has not been contracted. Therefore, only generic information that pertains to the type of rig to be utilized is provided. We note that the specific rig and equipment particulars are identified in the APD for the well to be drilled. We feel this is the appropriate application to provide this information.</i>  <i>If the MMS regional office needs specific information on rigs operating within their region, we suggest that they collect the information one time and maintain a file for the rig. If a rig is brought into the MMS region, the file could be updated.</i>	<u>Storage tanks and production vessels</u> . Using the format below, provide information on the storage tanks and/or production vessels at the facility you will use to conduct your proposed activities (including barges, drilling rigs, platform, etc.) that will store oil, as defined at 30 CFR 254.6. Include only those tanks with a capacity of 10 barrels or more. <table><tr><th>Type of Storage Tank</th><th>Type of Facility</th><th>Tank Cap Bbls</th><th>#of Tanks</th><th>Total Cap Bbls</th><th>Fluid Gravity (Api)</th></tr><tr><td>Fuel Oil</td><td>Semi</td><td>250</td><td>2</td><td>500</td><td>No 2 Diesel</td></tr><tr><td>Prod</td><td>Platform</td><td>40,000</td><td>2</td><td>30,000</td><td>37</td></tr></table> Provide this table only when you propose: 1. Activities in the Eastern Planning Area of the GOM. 2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank. 3. To install a surface facility located in water depths greater than 400 meters, or you propose to install a surface facility in any water depth to support subsea development in water depths greater than 400						Type of Storage Tank	Type of Facility	Tank Cap Bbls	#of Tanks	Total Cap Bbls	Fluid Gravity (Api)	Fuel Oil	Semi	250	2	500	No 2 Diesel	Prod	Platform	40,000	2	30,000	37	<i>Listing all of the tanks that are greater than 10 barrels is overly burdensome. NTL 2002- G08 currently requires that tanks with a capacity of greater than 25 barrels be listed. We recommend that requirement be retained at 25 barrels.</i>
Type of Storage Tank	Type of Facility	Tank Cap Bbls	#of Tanks	Total Cap Bbls	Fluid Gravity (Api)																						
Fuel Oil	Semi	250	2	500	No 2 Diesel																						
Prod	Platform	40,000	2	30,000	37																						

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
			meters. (This information has also been identified by the State of Mississippi as required necessary data and information under 15 CFR 930.58(a)(2) when required by MMS.) 4. Initial and supplemental DOCD's for which the State of Alabama is an affected State (The State of Alabama has identified this information as required necessary data and information under 15 CFR 930.58(a)(2).) 5. Initial DOCD's and supplemental DOCD's with new multiwell structures for which the State of Louisiana is an affected State. (The State of Louisiana has identified this information as required necessary data and information under 15 CFR 930.58(a)(2).) 6. Initial EP's and DOCD's and supplemental DOCD's with new multiwell structures for which the State of Texas is an affected State. (The State of Texas has identified this information as required necessary data and information under 15 CFR 930.58(a)(2).)	
<b>250.212</b>	<b>What information must accompany the EP?</b> The following information must accompany your EP: (a) General information required by § 250.213. (b) Geophysical and geological information required by § 250.214; (c) Hydrogen sulfide information required by § 250.215; (d) Biological, physical, and socioeconomic information required by § 250.216; (e) Solid and liquid wastes and discharges information and cooling water intake information required by § 250.217; (f) Air emissions information required by § 250.218; (g) Oil and hazardous substance spills information required by § 250.219; (h) Alaska planning information required by § 250.220; (i) Environmental monitoring information required by § 250.221; (j) Lease stipulations information required by § 250.222; (k) Mitigation measures information required by § 250.223; (l) Support vessels and aircraft information required by §			

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX					OOC Comments										
Section	Text	Proposed Regulation	Draft May 17, 2002					NTL 200X-GXX										
	250.224; (m) Onshore support facilities information required by § 250.225; (n) Coastal zone management information required by § 250.226; (o) An environmental impact analysis required by § 250.227; and (p) Administrative information required by § 250.228.																	
250.213	<b>What general information must accompany the EP?</b> The following general information must accompany your EP:																	
213 (a)	<u>Applications and permits.</u> A listing, including filing or approval status, of the Federal, State, and local application approvals or permits you must obtain to conduct your proposed exploration activities.		<u>Applications and permits.</u> Using the format below, provide information on the filing or approval status of the Federal, State, and local application approvals or permits you must obtain to conduct your proposed activities. <table><tr><th>Application/Permit</th><th>Issuing Agency</th><th>Status</th></tr><tr><td>Air Permit</td><td>EPA</td><td>TBS</td></tr></table> List all <i>individual or site-specific</i> application approvals you must obtain, but do not list <i>general</i> National Pollutant Discharge Elimination System (NPDES) permits or Corps of Engineers (COE) permits.					Application/Permit	Issuing Agency	Status	Air Permit	EPA	TBS					
Application/Permit	Issuing Agency	Status																
Air Permit	EPA	TBS																
213(b)	(b) <u>Drilling fluids.</u> A table showing the components, chemical composition, and projected amounts and rates of usage of each drilling fluid you will use to drill your proposed exploration wells.	<i>In many cases, several different mud systems with different chemical composition and components will be utilized during the course of a well. At the time that the EP is filed, the specific mud program for each well may not have been developed. We recommend that the this section be changed to the following: (b) Drilling fluids. A table showing the projected amounts for each of types(i.e. water based, oil based, synthetic based) of drilling fluids you may use to drill your proposed exploration wells:</i>  <i>Also, we do not know what you mean by “rates of usage”, please explain.</i>	<u>Drilling fluids and cuttings</u> (1) Using the format below, show information on the types, amounts, and disposal methods of the drilling fluids you will use to drill your proposed wells, and the amounts and disposal methods of the cuttings that will be generated. <table><tr><th>Type of Drill Fluid</th><th>Est Vol of DF/ Well</th><th>DF Disposal Method</th><th>Est Vol of Cuttings/Well</th><th>Cuttings Disposal Method</th></tr><tr><td>Water Based (seawater, freshwater)</td><td>35,000 bbls</td><td>Recycle.discharge</td><td>50,000 bbls</td><td>Discharge</td></tr></table>					Type of Drill Fluid	Est Vol of DF/ Well	DF Disposal Method	Est Vol of Cuttings/Well	Cuttings Disposal Method	Water Based (seawater, freshwater)	35,000 bbls	Recycle.discharge	50,000 bbls	Discharge	<i>At the time that the EP is filed, the specific mud program for each well may not have been developed. Therefore, we recommend that “drilling fluids you will use” be changed to “drilling fluids you may use”.</i>  <i>We also note that while the regulation requires information on the drilling fluid to be submitted, there is no requirement for the submittal of drilling cutting information or for disposal information. Therefore, we request that this information be omitted from the NTL.</i>
Type of Drill Fluid	Est Vol of DF/ Well	DF Disposal Method	Est Vol of Cuttings/Well	Cuttings Disposal Method														
Water Based (seawater, freshwater)	35,000 bbls	Recycle.discharge	50,000 bbls	Discharge														

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX					OOC Comments										
Section	Text	Proposed Regulation	Draft May 17, 2002					NTL 200X-GXX										
			<table><tr><td>Oil based (diesel, mineral oil)</td><td>500 bbls</td><td>Onshore disposal</td><td>1,000 bbls</td><td>Onshore Disposal</td></tr><tr><td>Synthetic based (internal olefin, ester)</td><td>20,000 bbls</td><td>Recycle</td><td>18,000 bbls</td><td>Discharge</td></tr></table>	Oil based (diesel, mineral oil)	500 bbls	Onshore disposal	1,000 bbls	Onshore Disposal	Synthetic based (internal olefin, ester)	20,000 bbls	Recycle	18,000 bbls	Discharge					
Oil based (diesel, mineral oil)	500 bbls	Onshore disposal	1,000 bbls	Onshore Disposal														
Synthetic based (internal olefin, ester)	20,000 bbls	Recycle	18,000 bbls	Discharge														
			<p>Provide this table only when you propose:</p> <p>1. Drilling operations in the Eastern Planning Area of the GOM.</p> <p>2. Drilling operations within the Protective Zones of the Flower Garden Banks and Stetson Bank.</p> <p>3. To use oil-based or synthetic-based drilling fluids.</p> <p>4. To use new or unusual technology in the handling or discharge of drilling fluids or drill cuttings.</p> <p>5. Development drilling operations in deepwater. (You may omit this table if you propose operations in an exempted area. Refer to the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environmentalstrategy/strategy.html">http://www.gomr.mms.gov/homepg/regulate/environmentalstrategy/strategy.html</a> for a current listing of exempted areas.)</p> <p>6. Initial DOCD's or supplemental DOCD's with new multiwell structures that includes disposal in Louisiana coastal waters or onshore Louisiana (15 CFR 930.58(a)(2)).</p> <p>7. Initial EP's and DOCD's and supplemental DOCD's with new multiwell structures for which the State of Texas is an affected State (15 CFR 930.58(a)(2)).</p>															
			<p>(2) For each oil-based specialty product you list in the table above, provide:</p> <p>(i) The following table, and</p> <table><tr><th>Name</th><th>Loading Method</th><th>Amount Used</th><th>How Used</th><th>Offloading Method</th></tr><tr><td></td><td></td><td></td><td></td><td></td></tr></table>					Name	Loading Method	Amount Used	How Used	Offloading Method						<p>What is the purpose of providing this information in each EP? The methods used to load these products are consistent across industry; therefore, there is no need to submit this information in each plan. We recommend that this requirement be omitted from the NTL.</p>
Name	Loading Method	Amount Used	How Used	Offloading Method														

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX					OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002					NTL 200X-GXX
			Oil based components	Oil Product shipped in bbls separately	1,000 bbls	To make oil-based mud	Cutting s boxes offloaded via crane on rigs	
			(ii) A Material Safety Data Sheet (MSDS) or Internet address for the MSDS.					
213(c)	<u>Chemical products.</u> A table showing the name and brief description, quantities to be stored, storage method, and rates of usage of the chemical products you will use to conduct your proposed exploration activities. List only those chemical products you will store or use in quantities greater than the amounts defined as Reportable Quantities in 40 CFR part 302, or amounts specified by the Regional Supervisor.	<i>Following the issuance of NTL 2000-G21, a study was conducted on chemical products usage in the GOM in lieu of this information being submitted in each plan. Therefore, this requirement should specifically exempt the GOM from this requirement.</i>						
213 (d)	(d) <u>New or unusual technology.</u> A description and discussion of any new or unusual technology you will use to carry out your proposed exploration activities (see definition under § 250.200).	<i>In many cases, the use of new or unusual technology includes the use of proprietary information. Therefore, we recommend that the following statement be added to the regulation: “In the public information copies of your EP, you may exclude any proprietary information from this description. In that case, include a brief discussion of the general subject matter of the omitted information. If you will not use any new or unusual technology to carry out your proposed activities, include a statement so indicating.”</i>	<u>New or unusual technology.</u> If you propose to use a new or unusual methodology or technique, as defined in this NTL, to carry out your proposed activities, provide a narrative description of the methodology or technique and the rationale for its selection. In the public information copies of your EP or DOCD, you may exclude any proprietary information from this description. In that case, include a brief discussion of the general subject matter of the omitted information. If you will not use any new or unusual technology to carry out your proposed activities, include a statement so indicating.					
213 (e)	<u>Bonds, oil spill financial responsibility, and well control statements.</u> Statements attesting that: (1) The activities and facilities proposed in your EP are covered by an appropriate lease or areawide surety bond or alternative security instrument according to 30 CFR part 256, subpart I; (2) You have demonstrated or will demonstrate oil spill financial responsibility for facilities proposed in your EP according to 30 CFR part 253; and (3) You have or will have the financial capability to drill a relief well and conduct other emergency well control operations.	<i>We recommend that furnishing bonds and oil spill financial responsibility be allowed to be delayed until after the EP has been approved, but before the proposed activities are approved or permitted. Therefore, we recommend adding the following statement to (1) “In lieu of providing bonds and making this statement, you may request, in writing, to delay furnishing the required bond coverage until after your EP or DOCD is approved but before your proposed activities are approved or permitted. Refer to 30 CFR 256.53(a)(1)(ii).”</i>	<u>Bonding statement.</u> Provide the following statement regarding your bond coverage:  The bond requirements for the activities and facilities proposed in this [EP][DOCD] are satisfied by a [lease][area-wide] bond, furnished and maintained according to 30 CFR 256, subpart I; NTL No. 2000-G16, “Guidelines for General Lease Surety Bonds,” dated September 7, 2000; and National NTL No. 98-18N, “Supplemental Bond Procedures,” dated December 28, 1998, and addendum dated September 12, 2000.					

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
			In lieu of providing bonds and making this statement, you may request, in writing, to delay furnis hing the required bond coverage until after your EP or DOCD is approved but before your proposed activities are approved or permitted. Refer to 30 CFR 256.53(a)(1)(ii).	
			Oil spill financial responsibility (OSFR). Provide the following statement regarding your OSFR coverage: [Company name with MMS company number] [has demonstrated] [will demonstrate] oil spill financial responsibility for the facilities proposed in this [EP][DOCD] according to 30 CFR 253, and National NTL No. 99-N01, “Guidelines for Oil Spill Financial Responsibility for Covered Facilities,” dated January 1, 1999.	
			Deepwater well control statement. If you propose to drill a well in deepwater, the provide the following deepwater well control statement: [Company name with MMS company number] [has][will have] the financial capability to drill a relief well and conduct other emergency well control operations.	
213 (f)	<u>Suspensions of operations.</u> A brief discussion of any suspensions of operations that you anticipate may be necessary in the course of conducting your activities under the EP.		“Not Required”	
213 (g)	<u>Blowout scenario.</u> A scenario for the potential blowout of the proposed well in your EP that you expect will have the highest volume of liquid hydrocarbons. Include the estimated flow rate, total volume, and timeframe associated with the potential blowout. Also, discuss the potential for the well to bridge over, the likelihood for surface intervention to stop the blowout, the availability of a rig to drill a relief well, and rig package constraints. Estimate the time it would take to drill a relief well.		<u>Blowout scenario.</u> Provide a scenario for a potential blowout of the well proposed in your EP or DOCD you expect to have the highest volume of liquid hydrocarbons. Include the estimated flow rate, total volume, and timeframe associated with the potential blowout. Discuss also the potential for the well to bridge over, the likelihood for surface intervention to stop the blowout, the availability of a rig to drill a relief well, and rig package constraints. Estimate the time it would take to drill a relief well.  Provide this blowout scenario only when you propose: 1. Activities in the Eastern Planning Area of the GOM.	



Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOO Comments	Proposed NTL 200X-GXX	OOO Comments																
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX																
			2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank. 3. To install a surface facility located in water depths greater than 400 meters, or you propose to install a surface facility in any water depth to support subsea development in water depths greater than 400 meters. 4. Initial DOCD’s and supplemental DOCD’s with new multiwell structures for which the State of Louisiana is an affected State (15 CFR 930.58(a)(2)).																	
213 (h)	(h) <u>Contact</u> . The name, address (e-mail address, if available), and telephone number of the person with whom the Regional Supervisor and any affected State(s) can communicate with about your EP.		Appendix A-form																	
			<p><u>Oils characteristics</u>. Using the format below, provide the estimated chemical and physical characteristics of the oils (see definition under 30 CFR 254.6) that will be produced, handled, transported, or stored at the facilities you will use to conduct your proposed activities.</p> <table><tr><th>Characteristic</th><th>Analytical Methodologies Should Be Compatible With:</th></tr><tr><td>1. Gravity (API)</td><td>ASTM D4052</td></tr><tr><td>2. Flash Point ( °C)</td><td>ASTM D93/IP 34</td></tr><tr><td>3. Pour Point ( °C)</td><td>ASTM D97</td></tr><tr><td>4. Viscosity (Centipoise at 25 °C)</td><td>ASTM D445</td></tr><tr><td>5. Wax Content (wt %)</td><td>Precipitate with 2-butanon/dichloromethane (1 to 1 volume) at -10 °C</td></tr><tr><td>6. Asphaltene Content (wt %)</td><td>IP-Method 143/84</td></tr><tr><td>7. Resin Content (wt %)</td><td>Jokuty et al., 1996</td></tr></table>	Characteristic	Analytical Methodologies Should Be Compatible With:	1. Gravity (API)	ASTM D4052	2. Flash Point ( °C)	ASTM D93/IP 34	3. Pour Point ( °C)	ASTM D97	4. Viscosity (Centipoise at 25 °C)	ASTM D445	5. Wax Content (wt %)	Precipitate with 2-butanon/dichloromethane (1 to 1 volume) at -10 °C	6. Asphaltene Content (wt %)	IP-Method 143/84	7. Resin Content (wt %)	Jokuty et al., 1996	We note that there is not corresponding regulation requiring this information to be submitted and therefore recommend that this requirement be omitted from the NTL. For EP’s, no wells have been drilled and therefore no reservoir fluids are available for analysis. Except for well testing, no fluids will be produced, handled, transported or stored under a EP. We do not see any useful purpose for providing the characteristics for reservoir oil similar to the anticipated target oil.
Characteristic	Analytical Methodologies Should Be Compatible With:																			
1. Gravity (API)	ASTM D4052																			
2. Flash Point ( °C)	ASTM D93/IP 34																			
3. Pour Point ( °C)	ASTM D97																			
4. Viscosity (Centipoise at 25 °C)	ASTM D445																			
5. Wax Content (wt %)	Precipitate with 2-butanon/dichloromethane (1 to 1 volume) at -10 °C																			
6. Asphaltene Content (wt %)	IP-Method 143/84																			
7. Resin Content (wt %)	Jokuty et al., 1996																			

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX		OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002		NTL 200X-GXX
			8. Oil compound distributions: (a) <u>Preferred methodology</u> : wt% or vol% for each boiling point distillation fraction. (b) <u>Alternate methodology</u> : wt% of total oil broken down by hydrocarbon group. In addition to group data already listed under Nos. 5, 6, and 7, provide wt% saturates, aromatics, and BTEX.	(a) ASTM D2892 (TBP distillation) or ASTM D2887/5307 (b) Jokuty et al., 1996	
			9. Sulphur (wt %)	ASTM D4294	
			Characteristic	Analytical Methodologies Should Be Compatible With:	
			1. Gravity (API)	ASTM D4052	
			2. Flash Point (°C)	ASTM D93/IP 34	
			3. Pour Point (°C)	ASTM D97	
			4. Viscosity (Centipoise at 25 °C)	ASTM D445	
			5. Wax Content (wt %)	Precipitate with 2-butanon/dichloromethane (1 to 1 volume) at -10 °C	
			6. Asphaltene Content (wt %)	IP-Method 143/84	
			7. Resin Content (wt %)	Jokuty et al., 1996	

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX		OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002		NTL 200X-GXX
			<div>8. Oil compound distributions: (a) <u>Preferred methodology</u>: wt% or vol% for each boiling point distillation fraction. (b) <u>Alternate methodology</u>: wt% of total oil broken down by hydrocarbon group. In addition to group data already listed under Nos. 5, 6, and 7, provide wt% saturates, aromatics, and BTEX.</div> <div>9. Sulphur (wt %)</div> <div>ASTM D4294</div> <div>For EP’s, you may provide the characteristics for a reservoir oil similar to the anticipated target oil.  Identify the oil you analyze using one of the following formats:</div> <div><div>Oil from one well</div><div>Oil from more than one well sampled on a facility</div><div>Oil from a pipeline system</div></div>		

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX			OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002			NTL 200X-GXX
			Area/Block MMS platform ID API Well No. Completion perforation interval MMS reservoir name Sample date Sample No. (if more than one is taken)	Area/Block MMS platform ID Field/Unit Sample date Sample No. (if more than one is taken) Listing of API Well Nos. Storage tank ID No. (if sampled at a storage tank)	Pipeline segment number For each pipeline that feeds into the system, the ID codes for the closest upstream LACT units and/or facility measurement points Storage tank ID No. (if sampled at a storage tank)	
			Provide the above two tables only when you propose: 1. Activities in the Eastern Planning Area of the GOM 2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank. 3. To install a surface facility located in water depths greater than 400 meters, or you propose to install a surface facility in any water depth to support subsea development in water depths greater than 400 meters.			
250.214	<b>What geological and geophysical (G&amp;G) information must accompany the EP?</b> The following G&G information must accompany your EP:		“All of 250.214 is Proprietary Data”			
214 (a)	<u>Geological description</u> . A geological description of the prospect(s).		<u>Geological description</u> Provide a discussion of the geological objectives including a brief description of the hydrocarbon trapping elements.			<i>MMS currently requests the depth of geopressure be submitted. If you want to continue to receive this information, please request it in the regulation or NTL.</i>
214 (b)	<u>Structure contour maps</u> . Current structure contour maps (depth-based, expressed in feet subsea) drawn on the top of each prospective hydrocarbon-bearing reservoir		<u>Structure contour maps</u> . Provide current structure contour maps at a scale of 1 inch = 2,000 feet (depth-based, expressed in feet subsea) drawn on the top of			<i>We believe it is overly burdensome on both Industry and MMS to have to get case-by-case approval to utilize alternate scale or</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	showing the locations of proposed wells.		each prospective hydrocarbon sand for EP's and each productive hydrocarbon sand for DOCD's, showing the entire lease block and the location of each proposed well and the locations of geological cross-sections. You may use another scale or coverage area for these contour maps on a case-by-case basis if your activities cover more than one lease block and if you obtain prior approval from the Regional Supervisor. (An example of an acceptable map can be found on the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/regs/ntl/s/structmap.pdf">http://www.gomr.mms.gov/homepg/regulate/regs/ntl/s/structmap.pdf</a> .)	<i>coverage area for the maps. We believe the requirement should be changed to "You may use another scale or coverage area for these contour maps if your activities cover more than one lease block.</i>
<b>214 (c)</b>	<u>Two-dimensional (2-D) or three-dimensional (3-D) seismic lines</u> . Copies of migrated and annotated 2-D or 3-D seismic lines (with depth scale) intersecting at or near your proposed well locations. (You are not required to conduct both 2-D and 3-D seismic surveys if you choose to conduct only one type of survey.) If you have conducted both types of surveys, the Regional Supervisor may instruct you to submit the results of both surveys. You must interpret and display this information. Because of its volume, you must provide this data or information as an enclosure to only one proprietary copy of your EP.		<u>Interpreted two-dimensional (2-D) and/or three-dimensional (3-D) seismic lines</u> . Provide page-size copies of migrated and annotated (shot points, time lines, well paths) 2-D and/or 3-D seismic lines with depth scale within 500 feet of the surface locations of your proposed wells. Provide this information as an enclosure to one proprietary copy of your EP. You are not required to provide this information if the GOMR has approved the surface locations of your proposed wells in previously submitted EP's and DOCD's.	<i>See comments above.</i>
<b>214 (d)</b>	<u>Geological structure cross-sections</u> . Interpreted geological structure cross-sections showing the location and depth of each proposed well.		<u>Geological structure cross-sections</u> . Provide interpreted geological structure cross-sections showing the location and depth of each proposed well for EP's and expected productive formations for DOCD's. In addition, show at least one key horizon and the objective sands and label them using standard biostratigraphic terms. Express all depths in feet. (An example of an acceptable cross-section may be found on the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/regs/ntl/s/xsection.pdf">http://www.gomr.mms.gov/homepg/regulate/regs/ntl/s/xsection.pdf</a> .)	
<b>214(e)</b>	<u>Shallow hazards report</u> . A shallow hazards report based on information obtained from a high-resolution geophysical survey or a reference to such report if you have already submitted it to the Regional Supervisor.		<u>Shallow hazards report</u> . If your proposed activities are in less than 400 meters water depth, provide two copies of a shallow hazard report based on information obtained from a high-resolution geophysical survey, or a reference to such report if you have already submitted it to the Regional Supervisor. If your proposed activities are in water depths of 400 meters or more, provide three copies	<i>Why do we need to provide a listing of the lease blocks covered by a shallow hazard survey? We recommend that this be omitted from the NTL.</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation		OOO Comments	Proposed NTL 200X-GXX	OOO Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
			of the report. If the report covers multiple leases, provide a listing. Refer to NTL No. 98-20, "Shallow Hazards Requirements," dated September 15, 1998, for guidelines.	
214 (f)	<u>Shallow hazards assessment.</u> For each proposed well, an assessment of any seafloor and subsurface geological and manmade features and conditions that may adversely affect your proposed drilling operations.		<u>Shallow hazards assessment.</u> Provide for each proposed well, an assessment of any seafloor and subsurface geological and manmade features and conditions that may adversely affect your drilling operations, prepared using the guidance in NTL No. 98-20. Include a non-proprietary version of this item for those EP's or DOCD's that require Florida Coastal Zone Management consistency.	
214 (g)	<u>High-resolution seismic lines.</u> Copies of the two intersecting high-resolution survey lines that are closest to your proposed well locations. Because of its volume, you must provide this data as an enclosure to only one proprietary copy of your EP.	<i>Are two intersecting lines really needed? Would the closest line be sufficient? We also recommend adding the following statement: "You are not required to provide this information if the surface location of your proposed well has been approved in a previously submitted EP, DPP or DOCD."</i>	<u>High-resolution seismic lines.</u> Provide an annotated (shot points, time lines, well surface locations, and proximity of wells to line) copy of the high-resolution survey line (shallow penetration subbottom profiler; medium penetration seismic profiler; and sidescan sonar in areas of complex seafloor such as fault scarps, mud mounds, mud lobes) closest to each of the proposed well locations. Provide this information as an enclosure to one proprietary copy of your EP or DOCD. You are not required to provide this information if the GOMR has approved the surface locations of your proposed wells in previously submitted EP's and DOCD's.  For activities proposed in deepwater areas, you may replace the high-resolution survey lines with 3-D survey information on a case-by-case basis if you provide the following displays: swath bathymetry/seafloor rendering/edge detection (fault scarp trends) overlain with the seafloor amplitude. However, the vertical resolution of the 3-D surveys is usually not sufficient to detect potential drilling hazards in a complex area (numerous faults, gas vents, slumps, hard bottoms, etc.). Therefore, in a complex area, you may <b>not</b> replace high-resolution survey lines with 3-D survey information. However, in deepwater areas, you are not required to provide sidescan sonar in water depths greater than 300 meters or magnetometer lines in water depths greater than 200 meters if you obtain the prior approval of	<i>In our experience, MMS is routinely granting approval to not provide the sidescan sonar data in water depths greater than 300 meters or the magnetometer in water depths greater than 200 meters. Therefore, we believe that it is burdensome on both Industry and MMS to get prior approval on a case-by-case basis for not providing this information. Therefore, we recommend that this requirement be deleted.</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
			the Regional Supervisor on a case-by-case basis.	
<b>214 (h)</b>	<u>Stratigraphic column</u> . A generalized biostratigraphic/lithostratigraphic column from the surface to the total depth of the prospect.		<u>Stratigraphic column</u> . For EP's only, provide a generalized biostratigraphic/ lithostratigraphic column from the seafloor to the total depth of each prospect. Label objective horizons on the column. (An example of an acceptable stratigraphic column may be found on the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/regs/ntl/s/stratcolumn.pdf">http://www.gomr.mms.gov/homepg/regulate/regs/ntl/s/stratcolumn.pdf</a> ).	
<b>214 (i)</b>	<u>Time-versus-depth chart</u> . A seismic travel time-versus-depth chart based on the appropriate velocity analysis in the area of interpretation and specifying the geodetic datum.		<u>Time vs. depth tables</u> . For EP's proposing activities in areas where there is no well control, provide seismic travel time versus depth tables showing intervals of not more than 10 milliseconds.	<i>What is meant by "no well control"? We suggest that this either be defined, or MMS should request on a case-by-case basis.</i>
<b>214 (j)</b>	<u>Geochemical information</u> . A copy of any geochemical reports you used or generated.	<i>The GOM should be specifically excluded.</i>	"Not Required"	
<b>214 (k)</b>	<u>Future G&amp;G activities</u> . A brief description of the types of geophysical and geological explorations and development geophysical activities you may conduct for lease or unit purposes after your EP is approved.	<i>The GOM should be specifically excluded.</i>	"Not Required"	
<b>250.215</b>	<b>What hydrogen sulfide (H<sub>2</sub>S) information must accompany the EP?</b> The following H <sub>2</sub> S information, as applicable, must accompany your EP:			
<b>215 (a)</b>	<u>Concentration</u> . The estimated concentration of any H <sub>2</sub> S you might encounter while you conduct your proposed exploration activities.	<i>This should only be required when the area has been classified as H<sub>2</sub>S present. Otherwise you will not know the concentration.</i>	<u>Concentration</u> . Provide the estimated concentration of any H <sub>2</sub> S you might encounter or handle while conducting your proposed activities.	<i>This should only be required when the area has been classified as H<sub>2</sub>S present. Otherwise you will not know the concentration.</i>
<b>215 (b)</b>	<u>Classification</u> . Pursuant to § 250.417(c), a request that the Regional Supervisor classify the area of your proposed exploration activities as either H <sub>2</sub> S absent, H <sub>2</sub> S present, or H <sub>2</sub> S unknown. Provide sufficient information to justify your request.		<u>Classification</u> . According to 30 CFR 250.417(c), request that the Regional Supervisor classify the area of your proposed activities as either H <sub>2</sub> S absent, H <sub>2</sub> S present, or H <sub>2</sub> S unknown. Provide sufficient information to justify your request (e.g., concentrations from at least one correlative well).	<i>We recommend that you reference at least one correlative well; however, the exact concentrations from offset wells drilled by other operators may not be known.</i>
<b>215 (c)</b>	<u>H<sub>2</sub>S Contingency Plan</u> . If you ask the Regional Supervisor to classify the area of your proposed exploration activities as either H <sub>2</sub> S present or H <sub>2</sub> S unknown, an H <sub>2</sub> S Contingency Plan prepared pursuant to § 250.417(f) or a reference to an approved or submitted H <sub>2</sub> S Contingency Plan that covers the proposed exploration activities.		<u>H<sub>2</sub>S Contingency Plan</u> . If you request that the Regional Supervisor classify the area of your proposed activities as either H <sub>2</sub> S present or H <sub>2</sub> S unknown, provide one of the following: (1) an H <sub>2</sub> S Contingency Plan prepared according to 30 CFR 250.417(f), (2) a reference to an approved or submitted H <sub>2</sub> S Contingency Plan that covers the proposed activities, or	

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
			(3) the following statement: [ <i>Company name</i> ] will submit to the appropriate GOMR district office an H <sub>2</sub> S Contingency Plan prepared according to 30 CFR 250.417(f) before conducting the proposed [ <i>exploration</i> ][ <i>development and production</i> ] activities.	
215 (d)	<p><u>Modeling report.</u> In developing your EP, if you model a potential H<sub>2</sub>S release, a modeling report or the modeling results, or a reference to such report or results if you have already submitted it to the Regional Supervisor.</p> <p>(1) The analysis in the modeling report must be specific to the particular site of your proposed exploration activities and must consider any nearby human-occupied OCS facilities, shipping lanes, fishery areas, and other points where humans may be subject to potential exposure from an H<sub>2</sub>S release from your proposed activities.</p> <p>(2) If any H<sub>2</sub>S emissions are projected to affect an onshore area, the modeling analysis must be consistent with the Environmental Protection Agency 's (EPA) risk management plan methodologies outlined in 40 CFR part 68.</p>		<p><u>Modeling report.</u> If you have determined or estimated that you will encounter or handle H<sub>2</sub>S at concentrations greater than 500 parts per million (ppm), model a potential worst-case accidental H<sub>2</sub>S release from the facilities you will use to conduct your proposed activities. Provide two copies of a modeling report or the modeling results (see 30 CFR 250.417) or a reference to such report or results if they have already been submitted to the Regional Supervisor. Include the meteorological data you use in the modeling (as an ASCII-formatted model input file). The analysis in the report should be specific to the particular site of your activity and should consider any nearby human-occupied OCS facilities, shipping lanes, fishery areas, and other points where humans may be subject to potential exposure from an H<sub>2</sub>S release from your proposed activities. If your projected emissions would effect a concentration of H<sub>2</sub>S of 10 ppm or greater at an onshore area, the modeling analysis should be consistent with the risk management plan (RMP) methodologies of the Environmental Protection Agency (EPA) outlined in 40 CFR 68.</p>	<p><i>The requirements in the NTL differ significantly from the regulation. What is the basis for requiring modeling for an EP? If a model study is done, we have no problem with providing the report to MMS.</i></p>
250.216	<p><b>What biological, physical, and socioeconomic information must accompany the EP?</b></p> <p>In developing your EP, if you obtain the following information, you must include a report, or the information obtained, or a reference to such a report or information if you have already submitted it to the Regional Supervisor, as accompanying information:</p>			
216(a)	<p><u>Biological environment reports.</u> Site-specific information on chemosynthetic communities, sensitive underwater features, marine sanctuaries, or other areas of biological concern.</p>		<p><u>Chemosynthetic communities report.</u> If you propose activities that could disturb seafloor areas in deepwater, provide the report described in Attachment B of NTL No. 2000-G20, "Deepwater Chemosynthetic Communities," dated December 26,</p>	



Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
			2000.	
			<u>Topographic features plat</u> . If you propose to use a semisubmersible drilling rig and any of the associated anchors are to be placed within 500 feet of the No Activity Zone of an identified topographic feature, provide a plat at an appropriate scale on letter-sized paper that depicts bathymetry, the No Activity Zone of the topographic feature, the surface location of each proposed well or platform, and the position of anchors and chains relative to each proposed surface location. Refer to NTL No. 98-12 “Implementation of Consistent Biological Stipulation Measures in the Central and Western GOM,” dated August 10, 1998, for guidelines.	<i>The requirement should not be limited to a semi-submersible drilling rig; it should also include any anchored drilling rig or any anchored installation vessel that is anchored outside the 500 ft reviewed for the well or platform site .</i>
			<u>Topographic features statement (shunting)</u> . For EP’s only, if you propose to drill more than two wells from the same surface location and that surface location is outside the 1-mile Zone but within the Protective Zone of an identified topographic feature, provide a statement that you will shunt all drill cuttings and drilling fluids from your drilling operations to the bottom through a downpipe that terminates an appropriate distance, but no more than ten meters, from the bottom.	<i>This should only be required if you plan to discharge the cuttings and/or drilling fluids.</i>
			<u>Pinnacle trend report (Central Gulf of Mexico Planning Area)</u> . If you have the Pinnacle Trend Stipulation attached to your lease, provide the appropriate number of copies of the report as described in NTL No. 200X-GXX (to be developed consistent with final regulations).  The OCS blocks affected by this stipulation are Main Pass Area, Blocks 190, 194, 198, 219-226, 244-266, 276-290; and Viosca Knoll Area, Blocks 473-476, 521, 522, 564-566, 609, 610, 654, 692-698, 734, and 778.	<i>Prior to MMS issuing the proposed NTL, OOC requests permission to review and comment on the NTL.</i>
			<u>Live bottoms report (Eastern Gulf of Mexico Planning Area)</u> . If you have the Live Bottom Stipulation attached to your lease, provide five copies of the report described in NTL No. 99-G16, “Live-Bottom Surveys and Reports,” dated July 8, 1999.	

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOO Comments	Proposed NTL 200X-GXX			OOO Comments			
Section	Text	Proposed Regulation	Draft May 17, 2002			NTL 200X-GXX			
			(f) <u>Remotely-operated vehicle (ROV) monitoring survey plan.</u> If you propose activities that could disturb seafloor areas in deepwater, provide an ROV monitoring survey plan prepared by using the guidance in NTL No. 2001-G04, “Remotely Operated Vehicle Surveys in Deepwater,” dated June 1, 2001.			<i>The EP approval letter should specifically state that an ROV monitoring survey is required.</i>			
216(b)	<u>Physical environment reports.</u> Site-specific meteorological, physical oceanographic, geotechnical, or archaeological information.	<i>In the GOM, limited site-specific meteorological data (temperature, wind, etc) may be collected, but not necessarily in any formal, organized or scientific fashion. This data should not have to be submitted. Therefore, we recommend that this requirement be eliminated for the GOM. Similarly, limited physical oceanographic information may be collected, but not necessarily in any formal, organized or scientific fashion. This data should not have to be submitted. Therefore, we recommend that this requirement be eliminated for the GOM.</i>	<u>Archaeological report.</u> When you propose bottom-disturbing activities in areas that have been identified as High Probability Shipwreck blocks or prehistoric areas, provide three copies of an archaeological report or a reference to such a report if it has already been provided to the Regional Supervisor. Refer to NTL No. 2002-G01, “Archaeological Surveys and Reports,” effective March 15, 2002, for guidelines.						
			<u>Physical oceanographic statement.</u> Provide a statement indicating whether or not you have gathered or intend to gather physical oceanographic information related to your EP or DOCD.			<i>What is the purpose of providing this statement? At the time that an EP is filed, you may not know if you intend to gather physical oceanographic information. We recommend that this requirement be eliminated from the NTL.</i>			
216(c)	<u>Socioeconomic study reports.</u> Socioeconomic information regarding your proposed exploration activities.	<i>Please specify that this is not required in the GOM.</i>	“Not Required”						
250.217	<b>What solid and liquid wastes and discharges information and cooling water intake information must accompany the EP?</b> The following solid and liquid wastes and discharges information and cooling water intake information must accompany your EP:								
217 (a)	<u>Projected wastes.</u> A table providing the name, brief description, projected quantity (annual or monthly), and composition of solid and liquid wastes (such as spent drilling fluids, drill cuttings, trash, sanitary and domestic wastes, and chemical product wastes) likely to be generated by your proposed exploration activities. Describe: (1) The methods you used for determining this information; and (2) Your plans for treating, storing, and downhole disposal	<i>Providing the quantity of a waste either annually or monthly may be difficult to estimate. An appropriate unit of measure should be utilized which could include on a per well or per person basis). The chemical product wastes should be limited to “treating” chemicals (not include housekeeping, etc chemical wastes.)</i>	<u>Projected wastes.</u> Using the format below, provide information on the projected solid and liquid wastes likely to be generated by your proposed activities. Include both operational wastes permitted by the appropriate NPDES permit and any other identified wastes. <table><tr><td>Type of Waste</td><td>Composition</td><td>Projected Amount</td></tr></table>			Type of Waste	Composition	Projected Amount	<i>Many of these wastes are common across industry in type, composition and projected amount. Why should everyone have to submit the same information in each plan? The chemical study conducted after NTL 2000-G21 was issued showed that there were only two chemicals of concern . We suggest providing information on these two chemicals only. Why do we need to continue to provide information on all the</i>
Type of Waste	Composition	Projected Amount							

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX			OOC Comments														
Section	Text	Proposed Regulation	Draft May 17, 2002			NTL 200X-GXX														
	of these wastes at your drilling location(s).		<table><tr><td>Spent drilling fluids</td><td>Water-based drilling muds</td><td>8,000 bbls/well</td></tr><tr><td>Cuttings containing Synthetic-based mud</td><td>Cuttings coated with ester-based Synthetic drilling muds</td><td>600 bbls/well</td></tr><tr><td>Chemical product wastes</td><td>Ethylene glycol Methanol</td><td>100 bbls/month 25 bbls/month</td></tr><tr><td>Trash</td><td>Refuse generated during painting operations</td><td>50 bbls/month</td></tr></table>			Spent drilling fluids	Water-based drilling muds	8,000 bbls/well	Cuttings containing Synthetic-based mud	Cuttings coated with ester-based Synthetic drilling muds	600 bbls/well	Chemical product wastes	Ethylene glycol Methanol	100 bbls/month 25 bbls/month	Trash	Refuse generated during painting operations	50 bbls/month	<p>Describe also your plans for treating, storing, or downhole disposal of these wastes at your facility locations(s).</p> <p>Provide this table and description only when you propose:</p> <p>1. Activities in the Eastern Planning Area of the GOM.</p> <p>2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank.</p> <p>3. To use new or unusual technology that changes the nature or magnitude of the waste stream.</p> <p>4. To use a sulphur recovery unit(s).</p> <p>5. Deepwater development operations. (You may omit this table if you propose operations in an exempted area. Refer to the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environment/strategy/strategy.html">http://www.gomr.mms.gov/homepg/regulate/environment/strategy/strategy.html</a> for a current listing of exempted areas.)</p> <p>6. Initial EP’s, DOCD’s, or Supplemental DOCD’s with new multiwell structures for which the State of Texas is an affected State (15 CFR 930.58(a)(2)).</p> <p>7. Initial or supplemental DOCD’s for which the State of Alabama is an affected State (15 CFR</p>		
Spent drilling fluids	Water-based drilling muds	8,000 bbls/well																		
Cuttings containing Synthetic-based mud	Cuttings coated with ester-based Synthetic drilling muds	600 bbls/well																		
Chemical product wastes	Ethylene glycol Methanol	100 bbls/month 25 bbls/month																		
Trash	Refuse generated during painting operations	50 bbls/month																		

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments												
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX												
			930.58(a)(2)). 8. Initial DOCD’s or supplemental DOCD’s with new multiwell structure that includes disposal in Louisiana State waters or onshore Louisiana (15 CFR 930.58(a)(2)).													
217(b)	<u>Projected ocean discharges.</u> If any of your solid and liquid wastes will be discharged overboard or are planned discharges from manmade islands: (1) A table showing the name, projected amount, and rate of discharge for each waste type; and (2) A description of the discharge method you will use.	<i>Please clarify what is meant by discharge method.</i>	<u>Projected ocean discharges.</u> If any of your solid and liquid wastes are to be discharged overboard, use the format below to provide the following information. <table><tr><th>Type of Waste</th><th>Total Amount to be Discharged</th><th>Discharge Rate</th><th>Discharge Method</th></tr><tr><td>Spent drilling fluids and cuttings containing synthetic based mud</td><td>5,000 bbls</td><td>200 bbls/day</td><td>Shunt through downpipe to 40 feet above the mudline</td></tr><tr><td>Chemical product wastes</td><td>50 bbls</td><td>2 bbls/day</td><td>Add to produced water stream</td></tr></table> <p>Provide this table only when you propose:</p> <p>1. Activities in the Eastern Planning Area of the GOM.</p> <p>2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank.</p> <p>3. To use new or unusual technology that changes the nature or size of the waste stream.</p> <p>4. Deepwater development operations. (You may omit this table if you propose operations in an exempted area. Refer to the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environment/strategy/strategy.html">http://www.gomr.mms.gov/homepg/regulate/environment/strategy/strategy.html</a> for a current listing of exempted areas.)</p> <p>5. Initial EP, DOCD, or Supplemental DOCD with new multiwell structures for which the State of</p>	Type of Waste	Total Amount to be Discharged	Discharge Rate	Discharge Method	Spent drilling fluids and cuttings containing synthetic based mud	5,000 bbls	200 bbls/day	Shunt through downpipe to 40 feet above the mudline	Chemical product wastes	50 bbls	2 bbls/day	Add to produced water stream	<i>This information should be combined with the information above so that it doesn’t have to be repeated.</i>
Type of Waste	Total Amount to be Discharged	Discharge Rate	Discharge Method													
Spent drilling fluids and cuttings containing synthetic based mud	5,000 bbls	200 bbls/day	Shunt through downpipe to 40 feet above the mudline													
Chemical product wastes	50 bbls	2 bbls/day	Add to produced water stream													

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
			Texas is an affected State (15 CFR 930.58(a)(2)). 6. Initial or supplemental EP or DOCD for which the State of Alabama is an affected State (15 CFR 930.58(a)(2)).	
<b>217(c)</b>	<u>National Pollutant Discharge Elimination System (NPDES) permit.</u> (1) A discussion of how you will comply with the provisions of the applicable general NPDES permit that covers your proposed exploration activities; or (2) A copy of your application for an individual NPDES permit. Briefly describe the major discharges and methods you will use for compliance.	<i>(1) The GOM should be specifically excluded from this requirement.</i>	Provide either a copy of your application for a required <b>individual</b> NPDES permit or the final permit. Briefly describe the major discharges and the methods you will use to comply with that permit.	<i>An application for an individual permit may not have been completed at the time the EP is filed. The requirement should be to either provide it at the time the EP is filed or when it is filed with EPA, which ever is later.</i>
<b>217(d)</b>	<u>Modeling report.</u> In developing your EP, if you model the discharges of your projected solid or liquid wastes, a modeling report, or the modeling results, or a reference to such report or results if you have already submitted it to the Regional Supervisor.		Model the trajectory or fate of discharges of the projected solid or liquid wastes generated by your proposed activities. Provide two copies of a modeling report or the modeling results, or a reference to such report or results if it has already been submitted to the Regional Supervisor. Include the oceanographic data you used in the modeling in the report. Refer to NTL No. 200X-GXX (to be developed consistent with final regulations) for further guidance on discharge modeling and report preparation.  Perform this modeling and provide this report only when you propose activities for which the U.S. Environmental Protection Agency requires an <b>individual</b> NPDES permit.	<i>Modeling should only be required if EPA requires modeling.</i>
<b>217(e)</b>	<u>Projected cooling water intake.</u> A table for each cooling water intake structure likely to be used by your proposed exploration activities that includes a brief description of the cooling water intake structure, daily water intake rate, water intake through-screen velocity, percentage of water intake used for cooling water, mitigation measures for reducing impingement and entrainment of aquatic organisms, and biofouling prevention measures.	<i>Please remove from the regulation. This is premature since EPA has not adopted final regulations pertaining to cooling water intake structures used for exploratory activities.</i>	<i>“Not Required”</i>	
<b>250.218</b>	<b>What air emissions information must accompany the EP?</b> The following air emissions information, as applicable, must accompany your EP:			
<b>218(a)</b>	<u>Projected emissions.</u> Tables showing the projected emissions of sulphur dioxide (SO <sub>2</sub> ), particulate matter in	<i>Emission factors (EF) for PM<sub>10</sub> and PM<sub>2.5</sub> based upon natural gas fired units measured by</i>	<u>Emissions worksheets and screening questions.</u> For activities proposed in your EP or DOCD, make two	<i>Introduction of the term “Complex Total Emissions” may cause confusion. What are</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<b>OOC Comments</b>	<b>Proposed NTL 200X-GXX</b>	<b>OOC Comments</b>
<b>Section</b>	<b>Text</b>	<b>Proposed Regulation</b>	<b>Draft May 17, 2002</b>	<b>NTL 200X-GXX</b>
	the form of PM <sub>10</sub> and PM <sub>2.5</sub> when applicable, nitrogen oxides (NO <sub>x</sub> ), carbon monoxide (CO), and volatile organic compounds (VOC) that will be generated by your proposed exploration activities.	<i>conventional EPA methods are probably high by a factor of 10 – 50 based upon recent DOE/API studies. Current MMS-138 and MMS-139 use an EF of 7.6 lbs of PM (Total) per 10<sup>6</sup> scf. (EP-42, Table 1.4-2, July 1998). It is assumed that all the PM is less than 1.0 microns in diameter. Why speciate PM when EF are of such poor quality?</i>	different emission calculations, one for the projected emissions associated with the activities proposed in your EP or DOCD, which are referred to as Plan Emissions, and another for the Complex Total Emissions. Complex Total Emissions are the sum of the projected Plan Emissions plus the projected emissions from all existing co-located facilities and activities. Existing co-located facilities and activities are those at the same surface location as your proposed activities, including any group of installations interconnected with walkways and/or bridges. If there are no existing facilities and activities co-located with your proposed activities, the Complex Total Emissions are the same as the Plan Emissions.	<i>the boundaries for co-located facilities? If facilities are in close proximity, but not interconnected by walkways and/or bridges, are they considered to co-located. In the Users Guide for GOADS the use of the term “MMS Complex ID” is used to specify a unique identifier code that is assigned to a group of related structures prior to construction by the MMS. Does a MMS Complex ID have to exist to calculate “Complex Total Emissions?”</i>
<b>218(a)</b>	<p>(1) For each source on or associated with the drilling unit (including well test flaring and well protection structure installation), you must list:</p> <p>(i) The projected peak hourly emissions;</p> <p>(ii) The total annual emissions in tons per year;</p> <p>(iii) Emissions over the duration of the proposed exploration activities;</p> <p>(iv) The frequency and duration of emissions; and</p> <p>(v) The total of all emissions listed in paragraphs (a)(1)(i) through (iv) of this section.</p> <p>(2) You must provide the basis for all calculations, including engine size and rating and applicable operational information.</p> <p>(3) You must base the projected emissions on the maximum rated capacity of the equipment on the proposed drilling unit under its physical and operational design.</p> <p>(4) If the specific drilling unit has not yet been determined, you must use the maximum emission estimates for the type of drilling unit you will use.</p>		<p>Emissions Worksheets. Calculate the Plan Emissions and the Complex Total Emissions associated with your proposed activities using the methodology, emission factors, and worksheets in Form MMS-138 for EP’s and Form MMS-139 for DOCD’s. These forms are on the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environment/airquality/reporting.html">http://www.gomr.mms.gov/homepg/regulate/environment/airquality/reporting.html</a>. According to your answers to the screening questions in paragraph (2) below, you may need to include the worksheets in your EP or DOCD.</p> <p>In calculating your Plan Emissions and Complex Total Emissions:</p> <p>(i) You may base the emissions on the maximum rated capacity of the equipment associated with your activities or by using emission reduction measures or modified emission factors. However, please be advised that if you base your emissions calculations on the use of emission reduction measures or modified emission factors, you will need to submit the worksheets and the documentation described in paragraphs (c)(3) and/or (c)(4) below.</p> <p>(ii) If you have not determined the specific drilling unit you will use, use the maximum emission estimates for the <i>type</i> of drilling unit (i.e., jackup,</p>	<i>If the Plan Emissions and Complex emissions are identical, why do you have to provide both? Could a statement that they are identical suffice?</i>

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOO Comments	Proposed NTL 200X-GXX	OOO Comments																					
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX																					
			platform rig, barge, submersible, semisubmersible, or drillship) in your calculations. You can find the maximum emission estimates for each drilling unit type on the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environment/airquality/reporting.html">http://www.gomr.mms.gov/homepg/regulate/environment/airquality/reporting.html</a> .																						
			<div>For EP's, use the format below to answer questions regarding your calculated air emission amounts.</div> <table><tr><th>Screening Questions for EP's</th><th>Y</th><th>N</th></tr><tr><td>Is any calculated Complex Total (CT) Emission amount (tons) associated with your proposed exploration activities more than 90% of the amounts calculated using the following formulas: CT = 3400D<sup>2/3</sup> for CO, and CT = 33.3D for the other air pollutants (where D = distance to shore in miles)?</td><td></td><td></td></tr><tr><td>Do your emission calculations include any emission reduction measures or modified emission factors?</td><td></td><td></td></tr><tr><td>Are your proposed exploration activities located east of 87.5° W longitude?</td><td></td><td></td></tr><tr><td>Do you expect to encounter H<sub>2</sub>S at concentrations greater than 20 parts per million (ppm)?</td><td></td><td></td></tr><tr><td>Do you propose to flare or vent natural gas for more than 48 continuous hours from any proposed well?</td><td></td><td></td></tr><tr><td>Do you propose to burn produced hydrocarbon liquids?</td><td></td><td></td></tr></table> <div>In calculating CT for addressing the first question, express the distance to shore (D) in tenths of a statute mile for distances up to 20 miles and in whole statute miles for distances 20 miles and beyond. Use the nearest point of any land, which is the distance from the facility complex to the mean high water mark of any State, including barrier islands and shoals, to determine the distance to shore. (b) If you answer <b>no</b> to <u>all</u> of the above screening questions from the appropriate table, provide: (1) Summary information regarding the peak year</div>	Screening Questions for EP's	Y	N	Is any calculated Complex Total (CT) Emission amount (tons) associated with your proposed exploration activities more than 90% of the amounts calculated using the following formulas: CT = 3400D <sup>2/3</sup> for CO, and CT = 33.3D for the other air pollutants (where D = distance to shore in miles)?			Do your emission calculations include any emission reduction measures or modified emission factors?			Are your proposed exploration activities located east of 87.5° W longitude?			Do you expect to encounter H <sub>2</sub> S at concentrations greater than 20 parts per million (ppm)?			Do you propose to flare or vent natural gas for more than 48 continuous hours from any proposed well?			Do you propose to burn produced hydrocarbon liquids?			<div>What is the purpose of the screening questions if you have to perform all of the calculations in order to provide the requested summary information? If you answer no to all of the screen questions, no further analysis should be required.</div> <div>The use of the term” Complex Total Emissions” for an EP will lead to questions regarding aggregation. The EPA’s MACT rulemaking for the onshore Oil and Gas Industry was delayed for many years over what constituted an” emitting facility” in terms of adjoining leases and facilities.</div> <div>(b)(3) Under what circumstances will MMS require you to submit the entire set of worksheets?</div> <div>(c)(1) If the Plan and Complex workseets are the same, then why do two sets of worksheets need to be submitted?</div> <div>(c)(2)A contact name has to be provided for the EP and this should be sufficient for the air emission calculations. Many operators may not want MMS to contact the person who actually performed the air emission calculations directly and without the knowledge of the EP contact person.</div>
Screening Questions for EP's	Y	N																							
Is any calculated Complex Total (CT) Emission amount (tons) associated with your proposed exploration activities more than 90% of the amounts calculated using the following formulas: CT = 3400D <sup>2/3</sup> for CO, and CT = 33.3D for the other air pollutants (where D = distance to shore in miles)?																									
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Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX		OOC Comments																								
Section	Text	Proposed Regulation	Draft May 17, 2002		NTL 200X-GXX																								
			<p>emissions that will be generated by and associated with your Plan Emissions and Complex Total Emissions. This information is compiled on the summary form of the two sets of worksheets, and you can submit either these summary forms or the format below. You do not need to include the entire set of worksheets.</p> <table><tr><th>Air Pollutant</th><th>Plan Emission Amounts<sup>1</sup> (tons)</th><th>Calculate d Exemption Amonts<sup>2</sup> (tons)</th><th>Calculate d Complex Total Emission Amounts<sup>3</sup> (tons)</th></tr><tr><td>Carbon monoxide (CO)</td><td></td><td></td><td></td></tr><tr><td>Particulate matter PM</td><td></td><td></td><td></td></tr><tr><td>Suphur dioxide (SO2)</td><td></td><td></td><td></td></tr><tr><td>Nitrogen oxides (NOX)</td><td></td><td></td><td></td></tr><tr><td>Volatile organic compounds (VOC)</td><td></td><td></td><td></td></tr></table> <p><sup>1</sup> For activities proposed in your EP or DOCD, list the projected emission calculated from the worksheets.</p> <p><sup>2</sup> List the exemption amounts for your proposed activities calculated by using the formulas in 30 CFR 250.303(d).</p> <p><sup>3</sup> List the complex total emissions associated with your proposed activities calculated from the worksheets</p> <p>(2) The name, telephone number, and e-mail address of the person(s) who calculated the projected Plan</p>		Air Pollutant	Plan Emission Amounts <sup>1</sup> (tons)	Calculate d Exemption Amonts <sup>2</sup> (tons)	Calculate d Complex Total Emission Amounts <sup>3</sup> (tons)	Carbon monoxide (CO)				Particulate matter PM				Suphur dioxide (SO2)				Nitrogen oxides (NOX)				Volatile organic compounds (VOC)				
Air Pollutant	Plan Emission Amounts <sup>1</sup> (tons)	Calculate d Exemption Amonts <sup>2</sup> (tons)	Calculate d Complex Total Emission Amounts <sup>3</sup> (tons)																										
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Particulate matter PM																													
Suphur dioxide (SO2)																													
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Volatile organic compounds (VOC)																													



Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments		Proposed NTL 200X-GXX				OOC Comments									
Section	Text	Proposed Regulation		Draft May 17, 2002				NTL 200X-GXX									
				Emissions, Complex Total Emissions, and exemption amounts. (3) Following your submittal of the summary information, the GOMR may need you to submit the entire set of worksheets regardless of your response to the above screening questions. The GOMR will make this determination on a case-by-case basis.  (c) If you answer <b>yes</b> to <u>any</u> of the above screening questions from the appropriate table, provide: (1) <u>Worksheets</u> . Two sets of worksheets; one showing the emission calculations for your Plan Emissions and one showing the emission calculations for the Complex Total Emissions. (2) <u>Contact(s)</u> . The name, telephone number, and e-mail address of the person(s) who calculated the projected Plan Emission, Complex Total Emission, and exemption amounts.													
218(b)	<u>Emission reduction measures</u> . A description of any proposed emission reduction measures, including the affected source(s), the emission reduction control technologies or procedures, the quantity of reductions to be achieved, and any monitoring system you propose to use to measure emissions.			(3) <u>Emission reduction measures</u> . If your calculation of the projected Plan Emission or Complex Total Emission amounts includes emissions reduction measures, submit your worksheets and also use the format below to describe the emission reduction measures. You may use actual fuel usage information (e.g., run times, fuel consumption) for the existing co-located facilities and activities. If you do, provide 6 to 12 months of data for determining the average fuel usage. The actual fuel usage you use in the emissions calculations cannot be less than the average fuel usage. <table><tr><th>Emission Source</th><th>Reduction Control Method</th><th>Amount of Reduction</th><th>Monitoring System</th></tr><tr><td>Compressor</td><td>Clean burn technology</td><td>100 tons NO<sub>x</sub>/year</td><td>Periodic stack test</td></tr></table>				Emission Source	Reduction Control Method	Amount of Reduction	Monitoring System	Compressor	Clean burn technology	100 tons NO <sub>x</sub> /year	Periodic stack test	(3) <i>Using actual fuel usage information should not be limited to existing co-located facilities and activities. This should be allowed for drilling rigs, barges, etc. In all cases, the actual fuel usage should reflect similar operating conditions.</i>  <i>We question if providing the amount of reduction is meaningful information since it is just a theoretical calculated number.</i>  (4) <i>Do you have to provide information supporting the use of an actual emission factor that is greater than a default emission factor?</i>	
Emission Source	Reduction Control Method	Amount of Reduction	Monitoring System														
Compressor	Clean burn technology	100 tons NO <sub>x</sub> /year	Periodic stack test														

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX				OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002				NTL 200X-GXX
			Prime mover	Low sulphur fuel	10 tons SO <sub>2</sub> /year	Visual check of fuel color and fuel receipts	
			Prime mover	Actual Fuel Consumption	300 tons NO <sub>x</sub> /year	Fuel Log	
			Generator	Actual Run Time	100 tons NO <sub>x</sub> /year	Run Time Log	
			(4) <u>Verification of nondefault emission factors</u> . If you use any air emission factors less than the default values in your calculation of the projected Plan Emission or Complex Total Emission amounts, provide documentation supporting the use of the smaller emission factors. However, if the actual emission factor is known to be greater than the default emission factor, use the actual emission factor.				
218(c)	<u>Processes, equipment, fuels, and combustibles</u> . A description of processes, processing equipment, combustion equipment, fuels, and storage units. You must include the characteristics and the frequency, duration, and maximum burn rate of any well test fluids to be burned.		“Included above”				
218(d)	<u>Distance to shore</u> . Identification of the distance of your drilling unit from the mean high water mark (mean higher high water mark on the Pacific coast) of the adjacent State.		“Included above”				
218(e)	<u>Non-exempt drilling units</u> . A description of how you will comply with § 250.303 when the projected emissions of SO <sub>2</sub> , PM, NO <sub>x</sub> , CO, or VOC that will be generated by your proposed exploration activities are greater than the respective emission exemption amounts “E” calculated using the formulas in § 250.303(d). When MMS requires air quality modeling, you must use the guidelines in Appendix W of 40 CFR part 51 with a model approved by the Director. Submit the best available meteorological information and data consistent with the model(s) used.		(5) <u>Non-exempt activities</u> . If the calculated Complex Total Emission amount for any pollutant (CO, PM, SO <sub>2</sub> , NO <sub>x</sub> , or VOC) is greater than the respective emission exemption amount, E, you calculated using the following formulas: E = 3400D <sup>2/3</sup> for CO, and E = 33.3D for the other air pollutants (i.e., the formulas in 30 CFR 250.303(d)), provide a description of how you will comply with 30 CFR 250.303(e) through (i), as appropriate.				
218(f)	<u>Modeling report</u> . In developing your EP, if you are required by § 250.303 to use an approved air quality		If you are required by 30 CFR 250.303 to use an MMS-approved air quality model to model projected				

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	model to model projected air emissions, a modeling report, or the modeling results, or a reference to such a report or results if you have already submitted it to the Regional Supervisor.		air emissions, adhere to the guidelines in Appendix W of 40 CFR 51 in conducting the modeling and preparing the report. Provide two copies of the modeling report and the modeling results, along with a digital copy (in ASCII format) of the input and output files (including the meteorological data you used in the modeling), or a reference to the report, files, and results if they have already been submitted to the GOMR.	
<b>250.219</b>	<b>What oil and hazardous substance spills information must accompany the EP?</b> The following information regarding potential spills of oil (see definition under 30 CFR 254.6) and hazardous substances (see definition under 40 CFR part 116) as applicable, must accompany your EP:			
<b>219(a)</b>	<u>Oil spill response planning.</u> The material required under either paragraph (a)(1) or (a)(2) of this section: (1) An Oil Spill Response Plan (OSRP) for the facilities you will use to conduct your exploration activities prepared according to the requirements of 30 CFR part 254, subpart B; or (2) Reference to your approved regional OSRP (see 30 CFR 254.3) to include: (i) A discussion of your regional OSRP; (ii) The location of your primary oil spill equipment base and staging area; (iii) The name(s) of your oil spill removal organization(s) for both equipment and personnel; (iv) The calculated volume of your worst case discharge scenario (see 30 CFR 254.26(a)), and a comparison of the appropriate worst case discharge scenario in your approved regional OSRP with the worst case discharge scenario that could result from your proposed exploration activities; and (v) A description of the worst case discharge scenario that could result from your proposed exploration activities (see 30 CFR 254.26 (b), (c), (d) and (e)).	<i>(iii) The OSRO's are included in the regional OSRP, why do they have to be named in each EP?</i>  <i>(iv) What is the purpose of providing a comparison between the site specific worst case discharge and that in the regional OSRP?</i>	(a) <u>Oil spill response planning.</u> The oil spill response plan (OSRP) required by either paragraph (1) or (2) below: (1) If you propose activities in the Eastern Planning Area of the GOM, a <i>site-specific</i> OSRP prepared according to the requirements of 30 CFR 254.21 through 254.29 that specifically addresses the activities proposed in your EP or DOCD, or a regional OSRP prepared according to the guidance of NTL No. 200X-GXX (to be developed consistent with final regulations). If your lease(s) is subject to the special oil spill response lease stipulation, incorporate in your site-specific OSRP a detailed description of the equipment you will procure to satisfy the requirements of the stipulation and a timetable for its onsite deployment or availability. (2) If you propose activities in the Central or Western Planning Areas of the GOM, a <b><i>reference to your approved regional OSRP</i></b> (see 30 CFR 254.3) to include the following: (i) <u>Regional OSRP information.</u> The company or companies covered, the OSRP approval date or your worst-case certification approval date if your OSRP is pending approval, and a statement that the activities proposed in your EP or DOCD will be covered by your regional OSRP; (ii) <u>Spill response sites.</u> Using the format below,	<i>(i) Why is it necessary to repeat the list of companies covered under the OSRP information in each EP?</i>  <i>(iii) Why does this information need to be repeated in each EP?</i>  <i>(v)(1) What is the purpose of providing a comparison between the site-specific worst case discharge and the worst case that in the regional OSRP?</i>  <i>In lieu of submitting all of the information in this section, the statements that you are required to make should be all that is required.</i>

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments											
Section	Text	Proposed Regulation	OOC Comments										
			<div>provide information on the location of your primary spill response equipment and the location of your pre-planned staging area(s) that would be used should you have an oil spill resulting from the activities proposed in your EP or DOCD;</div> <table><tr><td>Primary Response Equipment Location</td><td>Preplanned Staging Location(s)</td></tr><tr><td>Houma, LA</td><td>Fourchon, LA Grand Isle, LA</td></tr></table> <div>(iii) <u>OSRO information</u>. The name(s) of your oil spill removal organization(s) for both equipment and personnel. (iv) <u>Worst-case scenario determination</u>. A determination of whether the worst-case scenario from your approved regional OSRP is superseded by the worst-case scenario from the activities proposed in your EP orDOCD. In making this determination: (1) using the format below compare the appropriate worst-case scenario from your approved regional OSRP to the worst-case scenario from the proposed activities in your EP or DOCD, and (2) consider the proximity to beaches, water fowl, other marine and shoreline resources, and areas of special economic or environmental importance as required in your OSRP. For EP’s, because estimated blowout flow rates are speculative, you should not ordinarily determine that the worst-case scenario from the proposed activities in your EP supersedes the appropriate worst-case scenario from your approved regional OSRP as long as your contracted OSRO capabilities are sufficient to respond to the estimated worst-case scenario volume.</div> <table><tr><td>Category</td><td>Regional OSRP</td><td>EP or DOCD</td></tr><tr><td>Type of Worst-case Scenario<sup>1</sup></td><td>Oil production platform</td><td>Oil production platform</td></tr></table>	Primary Response Equipment Location	Preplanned Staging Location(s)	Houma, LA	Fourchon, LA Grand Isle, LA	Category	Regional OSRP	EP or DOCD	Type of Worst-case Scenario <sup>1</sup>	Oil production platform	Oil production platform
Primary Response Equipment Location	Preplanned Staging Location(s)												
Houma, LA	Fourchon, LA Grand Isle, LA												
Category	Regional OSRP	EP or DOCD											
Type of Worst-case Scenario <sup>1</sup>	Oil production platform	Oil production platform											

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX			OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002			NTL 200X-GXX
			Facility Location (area/block)	EI 25	MC 900	
			Facility Designation <sup>2</sup>	Platform JA	Rio Loco Project	
			Distance to Nearest Shoreline	45 miles	160 miles	
			Worst-case Scenario Volume <sup>3</sup>	325 bbls	200 bbls	
			Storage tanks (maximum capacity)	40 bbls	15 bbls	
			Flowlines (maximum capacity)	1,600 bbls	400 bbls	
			Lease term pipelines (calculated)	2,700 bbls	600 bbls	
			Uncontrolled blowout (daily volume)	4,665 bbls	1,215 bbls	
			Total Worst-case Scenario Volume			
			Type of Oil (crude oil, condensate)	Crude oil	Crude oil	
			API Gravity(s) <sup>4</sup>	37°	37°	
			<sup>1</sup> Types of worst-case discharge scenarios include (1) oil production platform, including caissons, subsea completions or manifolds, (2) exploratory or development drilling operations including subsea completion or manifold, and mobile drilling rig, and (3) pipeline facility (see 30 CFR 254.47(a),(b), and (c)).			
			<sup>2</sup> E.g., Well No. 2, Platform JA, Pipeline Segment No. 6373.			
			<sup>3</sup> Take your regional OSRP worst-case scenario			

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
			<p>volume from the appropriate section of your regional OSRP. For EP’s, determine the worst-case scenario volume using the criteria at 30 CFR 254.47(b). For DOCD’s, determine the worst-case scenario volume using the criteria at 30 CFR 254.47(a),(b), and (c), as appropriate.</p> <p><sup>4</sup> Provide API gravity of each oil given under “Type of Oil” above. Estimate for EP’s.</p> <p>If your proposed activities are within ten miles of the coastline, reference the “near-shore” worst-case scenario provided in your approved regional OSRP.</p> <p>If your proposed activities are more than ten miles from the coastline, reference the “far-shore” worst-case scenario provided in your approved regional OSRP.</p> <p>If you determine that the worst-case scenario from the activities proposed in your EP or DOCD supersedes the worst-case scenario from your approved regional OSRP, modify your approved regional OSRP to incorporate this new worst-case scenario and provide the following statement: [Name of company] submitted the new worst-case scenario to the GOMR on [date] for inclusion in our regional OSRP.</p> <p>The EP or DOCD will not be approved until the Regional Supervisor has received and approved your regional OSRP worst-case scenario modification.</p> <p>If you determine that the worst-case scenario from the activities proposed in your EP or DOCD does not supersede the worst-case scenario in your approved regional OSRP, provide the following statement: Since [name of company] has the capability to respond to the appropriate worst-case spill scenario included in its regional OSRP approved on [date], and since the worst-case scenario determined for our [EP] [DOCD] does not replace the appropriate worst-case scenario in our regional OSRP, I hereby certify that [name of company] has the capability to respond, to the maximum extent practicable, to a worst-case discharge, or a substantial threat of such a discharge, resulting from the activities proposed in our [EP] [DOCD].</p>	

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
			<p>(b) <u>Oil spill response discussion</u>. Discuss your response to an oil spill resulting from the activities proposed in your EP or DOCD. Include all the information described in 30 CFR 254.26(b), (c), (d), and (e) that is applicable. As the source of the spill, use whichever of the following gives the greater volume of oil:</p> <p>(1) The blow-out scenario you describe in section (k) under <u>General Information (250.213 and 250.243)</u> above, or</p> <p>(2) The volume of the largest oil/fuel storage tank on the drilling rig or facility.</p> <p>Provide this oil spill response discussion only when you propose:</p> <ol style="list-style-type: none"> <li>1. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank.</li> <li>2. To install a surface facility located in water depths greater than 400 meters, or to install a surface facility in any water depth to support subsea development in water depths greater than 400 meters.</li> <li>3. Initial DOCD's and supplemental DOCD's with new multiwell structures for which the State of Louisiana is an affected State (15 CFR 930.58(a)(2)).</li> <li>4. Initial EP's and DOCD's and supplemental DOCD's with new multiwell structures for which the State of Texas is an affected State (15 CFR 930.58(a)(2)).</li> </ol>	
<b>219(b)</b>	<u>Modeling report</u> . In developing your EP, if you model a potential oil or hazardous substance spill, a modeling report, or the modeling results, or a reference to such report or results if you have already submitted it to the Regional Supervisor.		<p><u>Modeling report</u>. Provide two copies of the modeling report as described NTL No. 200X-GXX (to be developed consistent with final regulations) or a reference to such a report if it has already been provided to the Regional Supervisor. Include the oceanographic data used in the modeling in the report.</p> <p>Provide this modeling report only when you propose:</p> <ol style="list-style-type: none"> <li>1. Activities in the Eastern Planning Area of the GOM.</li> <li>2. Deepwater development operations. (You may omit this table if you propose operations in an exempted area. Refer to the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environ">http://www.gomr.mms.gov/homepg/regulate/environ</a></li> </ol>	<i>OOC requests to review and comment on the proposed NTL prior to it being issued by MMS.</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
			<a href="/strategy/strategy.html">/strategy/strategy.html</a> for a current listing of exempted areas.)	
<b>250.220</b>	<b>If I propose activities in the Alaska OCS Region, what planning information must accompany the EP?</b> If you propose exploration activities in the Alaska OCS Region, the following planning information must accompany your EP:			
<b>220(a)</b>	<u>Emergency plans.</u> A description of your emergency plans to respond to a blowout, loss or disablement of a drilling unit, and loss of or damage to support craft.			
<b>220(b)</b>	<u>Critical operations and curtailment procedures.</u> Critical operations and curtailment procedures for your exploration activities. The procedures must identify ice conditions, weather, and other constraints under which the exploration activities will either be curtailed or not proceed.			
<b>250.221</b>	<b>What environmental monitoring information must accompany the EP?</b> The following environmental monitoring information, as applicable, must accompany your EP:			
<b>221(a)</b>	<u>Monitoring systems.</u> A description of any existing and planned monitoring systems that are measuring, or will measure, environmental conditions and/or will provide project-specific data or information on the impacts of your exploration activities.	<i>We assume that this does not include wind, temperature, etc that is commonly monitored on an informal basis.</i>	<u>Monitoring systems.</u> Provide a description of any existing and planned monitoring systems that are measuring, or will measure, environmental conditions and/or will provide project-specific data or information on the impacts of your proposed activities.	
<b>221(b)</b>	<u>Flower Garden Banks National Marine Sanctuary.</u> If you propose to conduct exploration activities within the 4-mile protective zone of the Flower Garden Banks National Marine Sanctuary, a description of your provisions for monitoring the impacts of an oil spill.	<i>For clarity and completeness, we recommend that this language be moved to 219 (c).</i>  <i>Please modify to “a description of your provisions for monitoring the impacts of an oil spill on the environmentally sensitive resources at the Flower Garden Banks National Marine Sanctuary.”</i>	<u>Flower Garden Banks National Marine Sanctuary.</u> If you propose to conduct activities within the Protective Zones of the Flower Garden Banks and Stetson Bank, discuss your provisions for monitoring the impacts of an oil spill on the environmentally sensitive resources at the Flower Garden Banks National Marine Sanctuary.	<i>We recommend that this be moved to the oil spill section.</i>
<b>250.222</b>	<b>What lease stipulations information must accompany the EP?</b> A description of the measures you took, or will take, to satisfy the conditions of lease stipulations related to your proposed exploration activities must accompany your EP.		Provide a brief description of the measures you took, or will take, to satisfy the conditions of any lease stipulations related to your proposed activities.	
<b>250.223</b>	<b>What mitigation measures information must accompany the EP?</b> A description of any measures you will use, beyond those required by the regulations in this part, to minimize or	<i>The language used seems to indicate that such measures will be utilized. We suggest the following language:</i> <i>“If you propose to use any measures beyond those</i>	<u>Additional measures.</u> Provide a discussion of the safety, pollution prevention, and early spill detection measures that you will take beyond those required by 30 CFR 250 when you propose:	<i>We note that the regulation only talks about environmental mitigation measures. What is the basis for requesting safety measures? Also, the language utilized</i>



Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
	mitigate environmental impacts from your proposed exploration activities must accompany your EP.	<i>required by the regulations in this part to minimize or mitigate environmental impacts from your proposed exploration activities, provide a description of the measures you will use in your EP.”</i>	1. Activities in the Eastern Planning Area of the GOM. 2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank. 3. To install a surface facility located in water depths greater than 400 meters, or you propose to install a surface facility in any water depth to support subsea development in water depths greater than 400 meters. 4. Initial and supplemental DOCD’s for which the State of Alabama is an affected State (15 CFR 930.58(a)(2)). 5. Initial DOCD’s and supplemental DOCD’s with new multiwell structures for which the State of Louisiana is an affected State (15 CFR 930.58(a)(2)). 6. Initial EP’s and DOCD’s and supplemental DOCD’s with new multiwell structures for which the State of Texas is an affected State (15 CFR 930.58(a)(2)).	<i>seems to imply that such measures will be used. We suggest the following wording: “If you propose to use any pollution prevention or early spill detection measures beyond those required by 30 CFR 250, provide a discussion of such measure when you propose.....”</i>
250.224	<b>What information on the support vessels, offshore vehicles, and aircraft you will use must accompany the EP?</b> The following information on the support vessels, offshore vehicles, and aircraft you will use must accompany your EP:			

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments																				
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX																				
224(a)	<u>General.</u> A description of the crew boats, supply boats, anchor handling vessels, tug boats, barges, ice management vessels, other vessels, offshore vehicles, and aircraft you will use to support your exploration activities. The description of vessels and offshore vehicles must estimate the storage capacity of their fuel tanks and the frequency of their visits to your drilling unit.		<u>General.</u> Using the format below, provide information regarding the tug boats, anchor-handling vessels, construction barges, lay barges, supply boats, crew boats, and aircraft you will use to support your proposed activities. <table><tr><th>Type</th><th>Fuel Tank Storage Capacity</th><th>Maximum No. in Area at Any Time</th><th>Trip Frequency or Duration</th></tr><tr><td>Tug boats</td><td>3000 bbls</td><td>2</td><td>Two weeks</td></tr><tr><td>Supply boats</td><td>500 bbls</td><td>2</td><td>Three times weekly</td></tr><tr><td>Service boats</td><td>500 bbls</td><td>1</td><td>Daily</td></tr><tr><td>Crew boats</td><td>500 bbls</td><td>1</td><td>Weekly</td></tr></table> <p>Provide this table only when you propose: 1. Activities in the Eastern Planning Area of the GOM. 2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank. 3. To install a surface facility located in water depths greater than 400 meters, or you propose to install a surface facility in any water depth to support subsea development in water depths greater than 400 meters.</p>	Type	Fuel Tank Storage Capacity	Maximum No. in Area at Any Time	Trip Frequency or Duration	Tug boats	3000 bbls	2	Two weeks	Supply boats	500 bbls	2	Three times weekly	Service boats	500 bbls	1	Daily	Crew boats	500 bbls	1	Weekly	<i>In most cases, operators do not actually contract support vessels until after the drilling rig is contracted which may be well past when the EP is filed. At best, you know the typical class of vessel to be used. Therefore, the information provided will be for a class of vessel, not a specific vessel in many cases.</i>
Type	Fuel Tank Storage Capacity	Maximum No. in Area at Any Time	Trip Frequency or Duration																					
Tug boats	3000 bbls	2	Two weeks																					
Supply boats	500 bbls	2	Three times weekly																					
Service boats	500 bbls	1	Daily																					
Crew boats	500 bbls	1	Weekly																					
			<u>Diesel oil supply vessels.</u> Using the format below, provide additional information on the vessels you will use to supply diesel oil. Make sure you include any vessels that will transfer diesel oil you will use for purposes other than fuel (e.g., base for corrosion control fluids).	<i>In most cases, diesel for fuel and for non-fuel uses will not be supplied differently. Therefore it is confusing to have this language in the NTL. Similar to above, at the time the EP is filed, in most instances the only thing know is the typical class of vessel to be used.</i>																				

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX				OOC Comments									
Section	Text	Proposed Regulation	Draft May 17, 2002				NTL 200X-GXX									
			<table><tr><th>Size of Fuel Supply Vessel</th><th>Capacity of Fuel Supply Vessel</th><th>Frequency of Fuel Transfers</th><th>Route Fuel Supply Vessel Will Take</th></tr><tr><td>180 feet</td><td>1,500 bbls</td><td>Weekly</td><td>From the shorebase in Fourchon, LA, to XYZ Field, then to WC Block 134</td></tr></table> <p>Provide this table only when you propose: 1. Activities in the Eastern Planning Area of the GOM. 2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank. 3. To install a surface facility located in water depths greater than 400 meters, or to install a surface facility in any water depth to support subsea development in water depths greater than 400 meters. 4. Initial and supplemental DOCD’s for which the State of Alabama is an affected State (15 CFR 930.58(a)(2)). 5. Initial DOCD’s and supplemental DOCD’s with new multiwell structures for which the State of Louisiana is an affected State (15 CFR 930.58(a)(2)).</p>	Size of Fuel Supply Vessel	Capacity of Fuel Supply Vessel	Frequency of Fuel Transfers	Route Fuel Supply Vessel Will Take	180 feet	1,500 bbls	Weekly	From the shorebase in Fourchon, LA, to XYZ Field, then to WC Block 134					
Size of Fuel Supply Vessel	Capacity of Fuel Supply Vessel	Frequency of Fuel Transfers	Route Fuel Supply Vessel Will Take													
180 feet	1,500 bbls	Weekly	From the shorebase in Fourchon, LA, to XYZ Field, then to WC Block 134													
224(b)	<u>Air emissions.</u> A table showing the source, composition, frequency, and duration of the air emissions likely to be generated by the support vessels, offshore vehicles, and aircraft you will use that will operate within 25 miles of your drilling unit.	<i>For clarity and completeness, we recommend that this be moved to the air emission section in 250.218.</i>  <i>Also, please clarify what is meant by an offshore vehicle.</i>	“See Air Emissions Section”													
224(c)	<u>Drilling fluids and chemical products transportation.</u> A description of the transportation method and quantities of drilling fluids and chemical products (see § 250.213(b) and (c)) you will transport from the onshore support facilities you will use to your drilling unit.	<i>This requirement should be specifically eliminated for the Western and Central GOM.</i>	<u>Drilling fluids transportation.</u> If you propose activities in the Eastern Planning Area of the GOM, use the format below to provide information on the projected drilling fluids you will transport from the onshore support facilities you will use to your drilling unit or facilities. <table><tr><th>Type of Material</th><th>Quantity Being Transported</th><th>Transportation Method</th></tr><tr><td>Barite</td><td>10-50 lb bags</td><td>On flats on supply boat</td></tr></table>				Type of Material	Quantity Being Transported	Transportation Method	Barite	10-50 lb bags	On flats on supply boat				
Type of Material	Quantity Being Transported	Transportation Method														
Barite	10-50 lb bags	On flats on supply boat														

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOO Comments	Proposed NTL 200X-GXX			OOO Comments
Section	Text	Proposed Regulation	Draft May 17, 2002			NTL 200X-GXX
			Synthetic-base drilling fluid component	55 gals	In surface cutting boxes on XYZ Mud Company’s supply boat	
224(d)	<u>Solid and liquid wastes transportation.</u> A description of the transportation method; reason for transportation; and brief description of the composition, quantities, and destination(s) of solid and liquid wastes (see § 250.217(a)) you will transport from your drilling unit.	<p><i>What is the purpose of giving the reason for transportation—these are already classified as wastes?</i></p> <p><i>Is the destination being requested the shore base or the “final” disposal, reuse or recycling location? We suggest that it be considered the shore base. In many instances we do not know where the “final” destination is, particularly for trash that is placed in a common bin at the shore base.</i></p> <p><i>Also we note that the composition and quantities are estimates only and based on typical estimates from similar drilling operations. Also, the destination of the waste is based on pre-planning only and may change during the actual activities conducted under the EP.</i></p> <p><i>Given that this information is based on typical wastes and disposal for similar operations, we fail to see the necessity of providing the information in each plan. Of equal or more value could be a waste management study across industry for various activities.</i></p>	<u>Solid and liquid wastes transportation.</u> If you plan to transport any of your solid and liquid wastes from the site of your proposed activities to other offshore structures or to temporary or permanent onshore facilities for storage or disposal, use the format below to provide the following information.			<p><i>Please see comments for the proposed regulation.</i></p> <p><i>3. Does this information have to be provided for all of the waste streams or only those affected by the new or unusual technology that changes the nature or magnitude of the waste stream?</i></p> <p><i>7. If waste is being disposed of in Louisiana, does this make it an affected state for coastal zone consistency review? Does the disposal site have to be in the coastal zone of Louisiana?</i></p> <p><i>Please also note that at the time an EP is filed, the disposal sites may not have been selected or may change from time to time during the exploratory period.</i></p>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX			OOC Comments							
Section	Text	Proposed Regulation	Draft May 17, 2002			NTL 200X-GXX							
			Flower Garden Banks and Stetson Bank. 3. To use new or unusual technology that changes the nature or magnitude of the waste stream on the facility. 4. Deepwater development operations. (You may omit this table if you propose operations in an exempted area. Refer to the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environ/strategy/strategy.html">http://www.gomr.mms.gov/homepg/regulate/environ/strategy/strategy.html</a> for a current listing of exempted areas.) 5. To use a sulphur recovery unit on the facility. 6. Initial and supplemental DOCD's for which the State of Alabama is an affected State (15 CFR 930.58(a)(2)). 7. Initial DOCD or supplemental DOCD with new multiwell structure that includes disposal in Louisiana coastal waters or onshore Louisiana (15 CFR 930.58(a)(2)). 8. Initial EP's and DOCD's and supplemental DOCD's with new multiwell structures for which the State of Texas is an affected State (15 CFR 930.58(a)(2)).										
224(e)	<u>Vicinity map</u> . A map showing the location of your proposed exploration activities relative to the shoreline. The map must depict the route(s) the support vessels and aircraft will use when traveling between the onshore support facilities you will use and your drilling unit.	<i>Add the word “primary” before ”routes”. In many cases, an alternate route may be taken depending on environmental conditions, visiting multiple platforms, etc.</i>	<u>Vicinity map</u> . Provide a map at an appropriate scale showing the location of your proposed activities relative to the shoreline and that depicts the route(s) the support vessels and aircraft will use when traveling between the onshore support facilities you will use and your drilling unit or proposed facilities.			<i>Add “primary” before “routes”. In many cases, an alternate route may be taken depending on environmental conditions, visiting multiple platforms, etc.</i>							
250.225	<b>What information on the onshore support facilities you will use must accompany the EP?</b> The following information on the onshore support facilities you will use must accompany your EP:												
225(a)	<u>General</u> . A description of the onshore facilities you will use to provide supply and service support for your proposed exploration activities (e.g., service bases and mud company docks).  (1) Indicate whether the onshore support facilities are existing, to be constructed, or to be expanded. (2) If the onshore support facilities are, or will be located, in areas not adjacent to the Western GOM, provide a timetable for acquiring lands (including rights-of-way and		<u>General</u> . Using the format below, provide a listing of the onshore facilities you will use to provide supply and service support for your proposed activities: <table><tr><th>Name</th><th>Location</th><th>Existing/New /Modified</th></tr><tr><td>XYZ Mud Company</td><td>Port Fourchon, LA</td><td>Existing</td></tr></table>			Name	Location	Existing/New /Modified	XYZ Mud Company	Port Fourchon, LA	Existing	<i>(b) What is considered a major addition to an existing onshore support base? For onshore support bases that handle multiple clients, if they expand their facility to either attract additional clients or to better serve their current clients, and the expansion is not for a specific project, does the expansion have to be covered in an EP? In many cases, we may be unaware</i>	
Name	Location	Existing/New /Modified											
XYZ Mud Company	Port Fourchon, LA	Existing											

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation		OOO Comments	Proposed NTL 200X-GXX			OOO Comments			
Section	Text	Proposed Regulation	Draft May 17, 2002			NTL 200X-GXX			
	easements) and constructing or expanding them.		<table><tr><td>Fourchon Service Base</td><td>Port Fourchon, LA</td><td>Expansion</td></tr></table> <p>(b) <u>Support base construction or expansion</u>. If you plan to construct a new onshore support base or make major additions to an existing one to accommodate the activities proposed in your EP or DOCD, provide a description of the necessary work.</p> <p>(c) <u>Support base construction or expansion timetable</u>. If you plan to acquire land to construct or expand the onshore support base you will use, provide a timetable for land acquisition (including rights-of-way and easements), and construction or expansion.</p> <p>1. Activities in the Eastern Planning Area of the GOM.</p> <p>2. Deepwater development operations. (You may omit this table if you propose operations in an exempted area. Refer to the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environ/strategy/strategy.html">http://www.gomr.mms.gov/homepg/regulate/environ/strategy/strategy.html</a> for a current listing of exempted areas.)</p>	Fourchon Service Base	Port Fourchon, LA	Expansion	that such a support base is planning a modification.		
Fourchon Service Base	Port Fourchon, LA	Expansion							
225(b)	<u>Air emissions</u> . A description of the source, composition, frequency, and duration of the air emissions (attributable to your proposed exploration activities) likely to be generated by the onshore support facilities you will use.	<i>EPs in areas westward of 87°30'W. longitude in the Gulf of Mexico should be specifically excluded from this requirement.</i>	“Not Required”						
225(c)	<u>Unusual solid and liquid wastes</u> . A description of the quantity, composition, and method of disposal of any unusual solid and liquid wastes (attributable to your proposed exploration activities) likely to be generated by the onshore support facilities you will use.	<i>EPs in the GOM should be specifically excluded from this requirement.</i>	“Not Required”						
225(d)	<u>Waste disposal</u> . A description of the onshore facilities you will use to store and dispose of solid and liquid wastes generated by your proposed exploration activities (see § 250.217) and the types and quantities of such wastes.	<i>We suggest for clarity and completeness that this be included with 250.224(d). Much of this information appears to be duplicative of that required in 250.224(d)</i>	<u>Waste Disposal</u> . Using the format below, provide information on the onshore facilities you will use to store and dispose of any solid and liquid wastes generated by your proposed activities.			<i>We suggest that for clarity and completeness that this information be included with the transportation of waste information.</i>			

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX				OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002				NTL 200X-GXX
			Name/Location of Facility	Type of Waste	Quantity	Disposal Method	
			PPM Theodore, AL	Hazardous solid: Oil-contaminated produced sand	50 lbs	Land farming	
			Smith's Incinerator Tampa, FL	Hazardous liquid: Waste oil	50 bbls	Incinerator	
			U.S. Liquids Bourg, LA	Non-hazardous solid: Oil-based drilling muds	200 bbls	Stationary treatment	
			New Park Transfer Station Venice, LA	Non-hazardous liquid: Workover fluids	150 bbls	Temporary storage	
250.226	<b>What Coastal Zone Management Act (CZMA) certification must accompany the EP?</b> Your EP must be accompanied by a copy of your consistency certification under § 307(c)(3)(B) of the CZMA (16 U.S.C. 1456(c)(3)(B)) and 15 CFR 930.76(d) that states that each of the proposed exploration activities described in detail in this EP comply with (name of State(s)) approved coastal management program(s) and will be conducted in a manner that is consistent with such program(s).	<i>We could not locate 15 CFR 930.76(d), please provide the correct cite.</i>	<u>Consistency certification.</u> Provide a coastal zone consistency certification according to 15 CFR 930.76(c) and (d) for each affected State by using the format in Appendix B. The maps on the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/offshore/pkns_permits/czmmaps.html">http://www.gomr.mms.gov/homepg/offshore/pkns_permits/czmmaps.html</a> indicate the areas affecting each State in the GOM.				<i>We could not locate 15 CFR 930.76(d), please provide the correct cite. We presume this should be 15 CFR 940.76(d)</i>
			<u>Other information.</u> Provide information required by 15 CFR 930.76(b). This includes: (1) A description of the coastal effects and information sufficient to support your consistency certification. (2) Information specifically identified in the State's				<i>We could not locate 15 CFR 930.76(d), please provide the correct cite. We presume this should be 15 CFR 940.76(b) which states "(b) When satisfied that the proposed activities meet the Federal consistency requirements of this subpart,</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
			<p>management program (as originally approved or amended) as necessary data and information.</p> <p>(3) An evaluation that includes a set of findings relating the coastal effects of your proposed activities and their associated facilities to the relevant enforceable policies of the State’s management program.</p> <p>Provide the information in paragraphs (a) and (b) above for all:</p> <ol style="list-style-type: none"> <li>1. Initial EP’s and DOCD’s</li> <li>2. Supplemental EP’s and DOCD’s for which Florida and Alabama are affected States.</li> <li>3. Supplemental DOCD’s proposing new multi-well structures for which Louisiana, Mississippi, and Texas are affected States.</li> <li>4. Revised EP’s and DOCD’s for which the GOMR determines that the revisions could result in a significant change in the impacts previously identified and evaluated (refer to 30 CFR 250.285). Refer to the above MMS Internet website in paragraph (a) above for additional information and other special instructions.</li> </ol>	<p><i>provide the Secretary of the Interior or designee with a consistency certification, attached to the OCS plan, and the Secretary of the Interior or designee shall furnish the State agency a copy of the OCS plan (excluding proprietary information) and consistency certification. We do not see any requirement for industry to provide the information listed under Other Information. Please explain the regulatory requirement for providing this information.</i></p> <p><i>Each state should provide Industry with the specific information in their management that we are required to submit.</i></p>
<b>250.227</b>	<p><b>What environmental impact analysis (EIA) information must accompany the EP?</b></p> <p>The following EIA information must accompany your EP:</p>			
<b>227(a)</b>	<p><u>General requirements.</u> Your EIA must:</p> <p>(1) Assess the potential environmental impacts of your proposed exploration activities;</p> <p>(2) Be project specific; and</p> <p>(3) Be as detailed as necessary to assist the Regional Supervisor in complying with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 <u>et seq.</u>) and other relevant Federal laws.</p>	<p><i>Please explain how the requirements listed in 227(b) assist the Regional Supervisor in complying with NEPA and other relevant Federal laws.</i></p>		<p><i>For revised or supplemental EPs, if the environmental impacts have been previously assessed, then a statement should be provided that says that no new impacts from those previously assessed are expected. The operator should not be required to provide a complete EIA if no new impacts are expected.</i></p>
<b>227(b)</b>	<p><u>Resources, conditions, and activities.</u> Your EIA must describe those resources, conditions, and activities listed below that could be affected by your proposed exploration activities or that could affect the construction and operation of facilities or structures or the activities proposed in your EP.</p> <p>(1) Meteorology, oceanography, geology, and geological and/or manmade hazards;</p>	<p><i>(4) Please provide a definition of “critical habitat”.</i></p> <p><i>(7) The GOM should be specifically excluded from this requirement.</i></p>	<p><u>Impact-producing factors (IPFs).</u> Using the matrix in Appendix C, identify the IPFs that can cause impacts to the listed environmental resources. Do this by placing an “x” in the space under each IPF category associated with your proposed activities that may impact a particular environmental resource. If, in your judgment, an IPF would not impact a particular environmental resource, leave the space blank.</p>	<p><i>Do both beneficial and adverse impacts have to be identified?</i></p> <p><i>Determining if an IPF impacts or has no impact on a particular environmental resource is very subjective. What happens if MMS does not agree with assessment?</i></p>



**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	<p>(2) Air and water quality;</p> <p>(3) Benthic communities, marine mammals, sea turtles, coastal and marine birds, fish and shellfish, and plant life;</p> <p>(4) Threatened or endangered species and their critical habitat;</p> <p>(5) Sensitive biological resources or habitats such as essential fish habitat, refuges, preserves, special management areas identified in coastal management programs, sanctuaries, rookeries, and calving grounds;</p> <p>(6) Archaeological resources;</p> <p>(7) Socioeconomic resources including employment, existing offshore and coastal infrastructure (including major sources of supplies, services, energy, water), land use, subsistence resources and harvest practices, recreation, recreational and commercial fishing (including typical fishing seasons, location, and type), minority and lower income groups, and coastal zone management programs;</p> <p>(8) Coastal and marine uses such as military activities, shipping, and mineral exploration or development; and</p> <p>(9) Other resources, conditions, and activities identified by the Regional Supervisor.</p>			<p><i>For most EPs, no site specific impact research studies are initiated with the exception of shallow hazards, chemosynthetics, hard bottoms and archeological studies. Generalized oil spill trajectories are used. Therefore, it is impossible to not tier off of the generalized impacts described in the lease sale environmental impact statements, grid EAs and other NEPA documents. This requirement appears to be exactly the opposite of the principle of “tiering” in NEPA. We do not believe that it is possible to comply with this requirement as stated.</i></p> <p><i>We do not understand why “Wastes sent to shore for treatment or disposal” was included as an IPF. Please either explain or remove from the table.</i></p>
<b>227(c)</b>	<p><u>Environmental impacts.</u> Your EIA must:</p> <p>(1) Analyze the potential direct and indirect impacts (including those from accidents and cooling water intake structures) that your proposed exploration activities will have on the identified resources, conditions, and activities;</p> <p>(2) Analyze any potential cumulative impacts from other activities to those identified resources, conditions, and activities potentially impacted by your proposed exploration activities;</p> <p>(3) Describe the type, severity, and duration of these potential impacts and their biological, physical, and other consequences and implications;</p> <p>(4) Describe potential measures to minimize or mitigate these potential impacts; and</p> <p>(5) Summarize the information you incorporate by reference.</p>	<p><i>(1) The reference to cooling water intake structures should be removed since EPA has not issued final regulations for these structures.</i></p>	<p><u>Analysis.</u> For those environmental resources you have determined may be impacted (i.e., that you have denoted with an “x”), provide a detailed explanation of the expected environmental impacts to the resource caused by each IPF. Referring to the matrix, for those cells that are footnoted, provide a statement as to the applicability to your proposed activities, and where there may be an effect, provide an analysis of the effect. If the feature in question is beyond the reach of any impact from your proposed activities, briefly explain your rationale. Make sure that every analysis focuses on site-specific environmental impacts of the proposed activities. Do not repeat the generalized impacts described in lease sale environmental impact statements (EIS). In your analyses, address the degree of impact, result of impact, duration of impact, recovery time for resource, and degree of recovery. Make sure that the write-up for each environmental resource has its own heading (e.g., topographic features, fisheries). If you</p>	<p><i>At the workshop held on Nov 25 by MMS on the EIA required by NTL 2002-G08, it was stated that a discussion of impact or no impact is required for every Environment Resource regardless of if you determine it is impacted or not. This differs from the analysis proposed in 200X-GXX. Also, it was stated that coastal wildlife refuges and wilderness areas are meant to be onshore targets of the OSRA models, and not limited specifically to designated refuges and wilderness areas. Please modify the requirement appropriately.</i></p>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
			are aware of other environmental resources at or near your activity's site that are not included on the matrix, list them in the blank spaces provided in the matrix. If you conducted any study in preparing your EP or DOCD or to comply with a Federal or State agency requirement, describe the nature of the study and its findings.	
			<u>Impacts on your proposed activities.</u> Provide a discussion of the potential impacts on your proposed activities that could result from environmental conditions in the project area (e.g., currents, geohazards). Such environmental conditions may increase the risk of an accident that could cause impacts to environmental resources.	
			<u>Alternatives.</u> Discuss any alternatives that you considered to reduce the environmental impacts of your proposed activity. Describe how each alternative would result in a change in the environmental impact of your proposed activity. If you conducted studies in the development of your alternatives, describe the nature of the studies and their findings.	<i>This should be eliminated. Listing all alternatives that were considered and rejected serves no purpose.</i>
			<u>Mitigation measures.</u> Describe any mitigation that you will employ to avoid, diminish, or eliminate potential impacts on these environmental resources and explain the effectiveness of this mitigation in terms of duration and recovery that might be expected relative to the resource.	
<b>227(d)</b>	<u>Consultation.</u> Your EIA must include a list of agencies and persons you consulted, or you will be consulting, regarding potential impacts associated with your proposed exploration activities.		<u>Consultation.</u> Provide a list of agencies and persons you consulted regarding potential impacts associated with your proposed activities.	
<b>227(e)</b>	<u>References cited.</u> Your EIA must include a list of the references that you cite in the EIA.		<u>References.</u> Include a list of the references you cite in the EIA. Also, summarize all information you incorporate by reference.	<i>What is the purpose and regulatory basis of summarizing all information that is incorporated by reference?</i>
<b>250.228</b>	<b>What administrative information must accompany the EP?</b> The following administrative information must accompany your EP:			
<b>228(a)</b>	<u>Exempted information description (public information copies only).</u> A description of the general subject matter of the proprietary information that is included in the		<u>Exempted information description (public information copies only).</u> Provide a description of the general subject matter of the proprietary	<i>Why is this needed and what will it be used for?</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	proprietary copies of your EP or its accompanying information.		information that is included in the proprietary copies of your EP or DOCD or its accompanying information.	
<b>228(b)</b>	<u>Bibliography.</u> (1) A list of each previously submitted EP, DPP, DOCD, study report, survey report, or other material that you reference in your EP or its accompanying information. (2) The location(s) where the Regional Supervisor can inspect the cited referenced material if you have not submitted it.		<u>Bibliography.</u> Provide a list (with the GOMR control number, if known) of each previously submitted EP, DPP, or DOCD; study report; survey report; or other material that you reference in your EP or DOCD or its accompanying information.	<i>Why do we need to provide a listing of all previously submitted EP, DPP or DOCDs? This information is readily available from the MMS website which is the source that operators typically use to provide this listing.</i>
	<b>Review and Decision Process for the EP</b>			
<b>250.231</b>	<b>After receiving the EP, what will MMS do?</b>			
<b>231(a)</b>	<u>Determine whether deemed submitted.</u> Within 15 working days after receiving your proposed EP and its accompanying information, the Regional Supervisor will review your submission and deem your EP submitted if: (1) The submitted information, including the information that must accompany the EP (refer to list in § 250.212), fulfills requirements and is sufficiently accurate; (2) You have provided all needed additional information (see § 250.201(b)); and (3) You have provided the required number of copies (see § 250.206(a)).	<i>What is the basis for increasing the timeframe from 10 days to 15 days? We request that plans be deemed submitted within 10 days.</i>  <i>(1) Please explain the meaning of “sufficiently accurate”.</i>  <i>We request that when the plan has been “deemed submitted” that the contact person be notified by fax, letter or e-mail.</i>		
<b>231(b)</b>	<u>Identify problems and deficiencies.</u> If the Regional Supervisor determines that you have not met each of the conditions in paragraph (a) of this section, the Regional Supervisor will notify you of the problem or deficiency. The Regional Supervisor will not deem your EP submitted until you have corrected any problem or deficiency identified in the notice.	<i>When and how will the Regional Supervisor notify you that your plan has a deficiency? We suggest that the notification occur within the timeframe established in 231(a). We request that the notification be made to the contact person by fax, letter or e-mail.</i>		
<b>250.232</b>	<b>What actions will be taken after the EP is deemed submitted?</b>			
<b>232(a)</b>	<u>State and CZM consistency reviews.</u> Within 2 working days after deeming your EP submitted under § 250.231(a), the Regional Supervisor will send by receipted mail a public information copy of the EP and its accompanying information to the following: (1) <u>The Governor of each affected State.</u> The Governor has 21 calendar days after receiving your deemed-submitted EP to submit comments. The Regional Supervisor will consider comments received by the deadline.	<i>In lieu of “receipted” mail, the public information copy should be sent by “overnight” mail. We believe that the cost differential between receipted mail and overnight mail is not significant. If MMS believes the cost is prohibitive, then MMS may request the operator to provide a completed air bill at their expense. Sending the public information copy by overnight mail will significantly speed up the CZM process.</i>		

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation				OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text			Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
	(2) The CZM agency of each affected State. The CZMA consistency review period under § 307(c)(3)(B)(iii) of the CZMA (16 U.S.C. 1456(c)(3)(B)(ii)) and 15 CFR 930.78 begins when the State's CZM agency receives a copy of your deemed-submitted EP, consistency certification, and required necessary data and information (see 15 CFR 930.77(a)(1)).			Alternatively, if the operator provides a complete public information copy in an electronic format, it could be e-mailed.		
232(b)	<u>MMS compliance review.</u> The Regional Supervisor will review the exploration activities described in your proposed EP to ensure that they conform to the performance standards in § 250.202.					
232(c)	<u>MMS environmental impact evaluation.</u> The Regional Supervisor will evaluate the environmental impacts of the activities described in your proposed EP and prepare environmental documentation under NEPA (42 U.S.C. 4321 <u>et seq.</u> ) and the implementing regulations (40 CFR parts 1500 through 1508).					
232 (d)	<u>Amendments.</u> During the review of your proposed EP, the Regional Supervisor may require you, or you may elect, to change your EP.					
250.233	<b>What decisions will MMS make on the EP and within what timeframe?</b>					
233(a)	<u>Timeframe.</u> The Regional Supervisor will take one of the actions shown in the table in paragraph (b) of this section within 30 calendar days after the Regional Supervisor deems your EP submitted under § 250.231(a) or receives the last amendment to your proposed EP, whichever occurs later.					
233(b)	MMS decision. By the deadline in paragraph (a) of this section, the Regional Supervisor will take one of the following actions:					
	The Regional Supervisor will ...	if...	and then...			

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>				<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>			<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	(1) Approve your EP	it complies with all applicable requirements	the Regional Supervisor will notify you in writing of the decision and may require you to meet certain conditions, including those to provide monitoring information.			
	(2) Require you to modify your proposed EP	the Regional Supervisor finds that it is inconsistent with the lease, the Act, or the regulations prescribed under the Act or other Federal laws	the Regional Supervisor will notify you in writing of the decision and describe the modifications you must make to your proposed EP to ensure it complies with all applicable requirements.			
	(3) Disapprove your EP	(i) your proposed activities would probably cause serious harm or damage to life (including fish or other aquatic life); property; any mineral (in areas leased or not leased); the national security or defense; or the marine, coastal, or human environment; and you cannot modify your proposed activities to avoid such condition(s)	(A) the Regional Supervisor will notify you in writing of the decision and describe the reason(s) for disapproving your EP.  (B) MMS may cancel your lease and compensate you pursuant to 43 U.S.C. 1334(a)(2)(C) and the implementing regulations in §§ 250.182, 250.184, 250.185, and 30 CFR 256.77.			

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
<b>250.234</b>	<b>How do I submit a modified EP or resubmit a disapproved EP, and when will MMS make a decision?</b>			
<b>234(a)</b>	<u>Modified EP</u> . If the Regional Supervisor requires you to modify your proposed EP under § 250.233(b)(2), you must submit the modification(s) to the Regional Supervisor in the same manner as for a new EP. You need submit only information related to the proposed modification(s).			
<b>234(b)</b>	<u>Resubmitted EP</u> . You may resubmit your disapproved EP if there is a change in the conditions that were the basis of its disapproval.			
<b>234(c)</b>	<u>MMS review and timeframe</u> . The Regional Supervisor will use the performance standards in § 250.202 to either approve, require you to further modify, or disapprove your modified or resubmitted EP. The Regional Supervisor will make a decision within 30 calendar days after the Regional Supervisor deems your modified or resubmitted EP to be submitted or receives the last amendment to your modified or resubmitted EP, whichever occurs later.			
<b>250.235</b>	<b>If a State objects to the EP's coastal zone consistency certification, what can I do?</b> If an affected State objects to the coastal zone consistency certification accompanying your proposed EP, you may do one of the following:			
<b>235(a)</b>	<u>Amend your EP</u> . Amend your EP to accommodate the State's objection and submit the amendment to the Regional Supervisor for approval. The amendment needs only address information related to the State's objection.	<i>If MMS has approved the EP, then the plan would need to be revised, not amended.</i>		
<b>235(b)</b>	<u>Appeal</u> . Appeal the State's objection to the Secretary of Commerce using the procedures in 15 CFR part 930, subpart H. The Secretary of Commerce will either: (1) Grant your appeal by finding, under § 307(c)(3)(B)(iii) of the CZMA (16 U.S.C. 1456(c)(3)(B)(iii)) that each activity described in detail in your EP is consistent with the objectives of the CZMA or is otherwise necessary in the interest of national security; or (2) Deny your appeal, in which case you may amend your EP as described in paragraph (a) of this section.	<i>(2) If MMS has approved the EP, then the plan would need to be revised, not amended.</i>		
<b>235(c)</b>	<u>Withdraw your EP</u> . Withdraw your EP if you decide not to conduct your proposed exploration activities.			
	<b>Contents of Development and Production Plans (DPP) and Development Operations Coordination Documents (DOCD)</b>			

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments																		
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX																		
250.241	What must the DPP or DOCD include? Your DPP or DOCD must include the following:																					
241(a)	Description, objectives, and schedule. A description, discussion of the objectives, and tentative schedule (from start to completion) of the development and production activities you propose to undertake. Examples of development and production activities include: (1) Development drilling; (2) Well test flaring; (3) Installation of production platforms, satellite structures, subsea wellheads and manifolds, and lease term pipelines (see definition at § 250.105); (4) Installation of production facilities and conduct of production operations; and (5) In the MMS Alaska and Pacific OCS Regions, 2-D, 3-D, 4-D, and multicomponent seismic activities.		Plan information form. Using the form in Appendix A of this NTL, provide information concerning your proposed activities.	The form only provides a way to list the specific anchor locations to be utilized. In many cases, these may not be known. Provisions should be made to give a anchor radius in lieu of the anchor locations.  We suggest that the information requested be consisted with the location information requested on APDs.																		
241(b)	Location. The location and water depth of each of your proposed wells and production facilities. Include a map showing the surface and bottom-hole location and water depth of each proposed well, the surface location of each production facility, and the locations of all associated drilling unit and construction barge anchors.	We believe there is no purpose in showing the water depth of the bottom hole location and therefore they should not be required.  Also, what is the purpose of showing on a bathymetry map? Showing the information in a table should be sufficient and a map should not be required.	(b) Location. Provide a map at a scale of 1 inch = 2,000 feet on an 8½-inch by 11-inch sheet of paper that depicts the surface location and water depth of each proposed well and production facility, and the proposed locations of all associated drilling unit and construction barge anchors. If you do not know the proposed anchor locations, you may show the maximum anchor radius instead.	Why does a map need to be provided? The information could be provided on the form in Appendix A.																		
241(c)	Drilling unit. A description of the drilling unit and associated equipment you will use to conduct your proposed development drilling activities. Include a brief description of important safety and pollution prevention features, and a table indicating the type and the estimated maximum quantity of fuels and oil that will be stored on the facility (see third definition of “facility” under § 250.105).	We believe that it is overly burdensome and serves no meaningful purpose to provide this information for fuels, oil and lubricants that are stored on the facility in very small quantity. We recommend that this be limited to fuels, oil and lubricants that are stored in quantities greater than 25 barrels.  In many cases at the time an EP is filed, the specific rig or rigs to be utilized has not been contracted. Therefore, only generic information that pertains to the type of rig to be utilized is provided. We note that the specific rig and equipment particulars are identified in the APD for the well to be drilled. We feel this is the appropriate application to provide this information.  If the MMS regional office needs specific information on rigs operating within their region, we suggest that	Storage tanks and production vessels. Using the format below, provide information on the storage tanks and/or production vessels at the facility you will use to conduct your proposed activities (including barges, drilling rigs, platform, etc.) that will store oil, as defined at 30 CFR 254.6. Include only those tanks with a capacity of 10 barrels or more. <table><tr><th>Type of Storage Tank</th><th>Type of Facility</th><th>Tank Capacity (Bbls)</th><th>Number of Tanks</th><th>Total Capacity (Barrels)</th><th>Fluid Gravity (Api)</th></tr><tr><td>Fuel Oil</td><td>Semi</td><td>250</td><td>2</td><td>500</td><td>No 2 Diesel</td></tr><tr><td>Prod</td><td>Platform</td><td>40,000</td><td>2</td><td>80,000</td><td>37</td></tr></table>	Type of Storage Tank	Type of Facility	Tank Capacity (Bbls)	Number of Tanks	Total Capacity (Barrels)	Fluid Gravity (Api)	Fuel Oil	Semi	250	2	500	No 2 Diesel	Prod	Platform	40,000	2	80,000	37	Listing all of the tanks that are greater than 10 barrels is overly burdensome. NTL 2002- G08 currently requires that tanks with a capacity of greater than 25 barrels be listed. We recommend that requirement be for tanks storing 100 barrels of liquid hydrocarbons. Alternatively, we suggest listing the total stored liquid hydrocarbon volume and the size of the largest tank.
Type of Storage Tank	Type of Facility	Tank Capacity (Bbls)	Number of Tanks	Total Capacity (Barrels)	Fluid Gravity (Api)																	
Fuel Oil	Semi	250	2	500	No 2 Diesel																	
Prod	Platform	40,000	2	80,000	37																	

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
		<i>they collect the information one time and maintain a file for the rig. If a rig is brought into the MMS region, the file could be updated.</i>	Provide this table only when you propose: 1. Activities in the Eastern Planning Area of the GOM. 2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank. 3. To install a surface facility located in water depths greater than 400 meters, or you propose to install a surface facility in any water depth to support subsea development in water depths greater than 400 meters. (This information has also been identified by the State of Mississippi as required necessary data and information under 15 CFR 930.58(a)(2) when required by MMS.) 4. Initial and supplemental DOCD's for which the State of Alabama is an affected State (The State of Alabama has identified this information as required necessary data and information under 15 CFR 930.58(a)(2).) 5. Initial DOCD's and supplemental DOCD's with new multiwell structures for which the State of Louisiana is an affected State. (The State of Louisiana has identified this information as required necessary data and information under 15 CFR 930.58(a)(2).) 6. Initial EP's and DOCD's and supplemental DOCD's with new multiwell structures for which the State of Texas is an affected State. (The State of Texas has identified this information as required necessary data and information under 15 CFR 930.58(a)(2).)	
<b>241(d)</b>	<u>Production facilities.</u> A description of the production platforms, satellite structures, subsea wellheads and manifolds, lease term pipelines (see definition at§ 250.105), production facilities, umbilicals, and other facilities you will use to conduct your proposed development and production activities. Include a brief description of important safety and pollution prevention features, and a table indicating the type and the estimated maximum quantity of fuels and oil that will be stored on the facility (see third definition of “facility” under § 250.105).		<i>“Not Required”</i>	



Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
250.242	<p><b>What information must accompany the DPP or DOCD?</b></p> <p>The following information must accompany your DPP or DOCD.</p> <p>(a) General information required by § 250.243;</p> <p>(b) Geological and geophysical information required by § 250.244;</p> <p>(c) Hydrogen sulfide information required by § 250.245;</p> <p>(d) Mineral resource conservation information required by § 250.246;</p> <p>(e) Biological, physical, and socioeconomic information required by § 250.247;</p> <p>(f) Solid and liquid wastes and discharges information and cooling water intake information required by § 250.248;</p> <p>(g) Air emissions information required by § 250.249;</p> <p>(h) Oil and hazardous substance spills information required by § 250.250;</p> <p>(i) Alaska planning information required by § 250.251;</p> <p>(j) Environmental monitoring information required by § 250.252;</p> <p>(k) Lease stipulations information required by § 250.253;</p> <p>(l) Mitigation measures information required by § 250.254;</p> <p>(m) Decommissioning information required by § 250.255;</p> <p>(n) Related facilities and operations information required by § 250.256;</p> <p>(o) Support vessels and aircraft information required by § 250.257;</p> <p>(p) Onshore support facilities information required by § 250.258;</p> <p>(q) Sulphur operations information required by § 250.259;</p> <p>(r) Coastal zone management information required by § 250.260;</p> <p>(s) An environmental impact analysis required by § 250.261; and</p> <p>(t) Administrative information required by § 250.262.</p>			
250.243	<p><b>What general information must accompany the DPP or DOCD?</b></p> <p>The following general information must accompany your DPP or DOCD:</p>			
243(a)	<p><u>Applications and permits.</u> A listing, including filing or approval status, of the Federal, State, and local application</p>		<p><u>Applications and permits.</u> Using the format below, provide information on the filing or approval status</p>	

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOCComments	Proposed NTL 200X-GXX					OOCComments																				
Section	Text	Proposed Regulation	Draft May 17, 2002					NTL 200X-GXX																				
	approvals or permits you must obtain to carry out your proposed development and production activities.		<div>of the Federal, State, and local application approvals or permits you must obtain to conduct your proposed activities.</div> <table><tr><td>Application/ Permit</td><td>Issuing Agency</td><td>Status</td></tr><tr><td>Air Permit</td><td>EPA</td><td>TBS</td></tr></table> <div>List all <i>individual or site-specific</i> application approvals you must obtain, but do not list <i>general</i> National Pollutant Discharge Elimination System (NPDES) permits or Corps of Engineers (COE) permits.</div>					Application/ Permit	Issuing Agency	Status	Air Permit	EPA	TBS															
Application/ Permit	Issuing Agency	Status																										
Air Permit	EPA	TBS																										
243(b)	<u>Drilling fluids.</u> A table showing the components, chemical composition, and projected amounts and rates of usage of each drilling fluid you will use to drill your proposed development wells.	<i>In many cases, several different mud systems with different chemical composition and components will be utilized during the course of a well. At the time that the DPP or DOCD is filed, the specific mud program for each well may not have been developed. We recommend that the this section be changed to the following: (b) Drilling fluids. A table showing the projected amounts for each of types(i.e. water based, oil based, synthetic based) of drilling fluids you may use to drill your proposed exploration wells:</i>  <i>Also, we do not know what you mean by “rates of usage”, please explain.</i>	<u>Drilling fluids and cuttings</u> (1) Using the format below, show information on the types, amounts, and disposal methods of the drilling fluids you will use to drill your proposed wells, and the amounts and disposal methods of the cuttings that will be generated. <table><tr><th>Type of Drilling Fluid</th><th>Est Vol of DF/Well</th><th>DF Disposal Method</th><th>Est Vol of Cuttings/Well</th><th>Cuttings Disposal Method</th></tr><tr><td>Water Based (seawater, freshwater</td><td>35,000 bbls</td><td>Recycle.discharge</td><td>50,000 bbls</td><td>Discharge</td></tr><tr><td>Oil based (diesel, mineral oil)</td><td>500 bbls</td><td>Onshore disposal</td><td>1,000 bbls</td><td>Onshore Disposal</td></tr><tr><td>Synthetic based (internal olefin, ester)</td><td>20,000 bbls</td><td>Recycle</td><td>18,000 bbls</td><td>Discharge</td></tr></table>					Type of Drilling Fluid	Est Vol of DF/Well	DF Disposal Method	Est Vol of Cuttings/Well	Cuttings Disposal Method	Water Based (seawater, freshwater	35,000 bbls	Recycle.discharge	50,000 bbls	Discharge	Oil based (diesel, mineral oil)	500 bbls	Onshore disposal	1,000 bbls	Onshore Disposal	Synthetic based (internal olefin, ester)	20,000 bbls	Recycle	18,000 bbls	Discharge	<i>At the time that the DOCD is filed, the specific mud program for each well may not have been developed. Therefore, we recommend that “drilling fluids you will use” be changed to “drilling fluids you may use”.</i>  <i>We also note that while the regulation requires information on the drilling fluid to be submitted, there is no requirement for the submittal of drilling cutting information or for disposal information. Therefore, we request that this information be omitted from the NTL.</i>
Type of Drilling Fluid	Est Vol of DF/Well	DF Disposal Method	Est Vol of Cuttings/Well	Cuttings Disposal Method																								
Water Based (seawater, freshwater	35,000 bbls	Recycle.discharge	50,000 bbls	Discharge																								
Oil based (diesel, mineral oil)	500 bbls	Onshore disposal	1,000 bbls	Onshore Disposal																								
Synthetic based (internal olefin, ester)	20,000 bbls	Recycle	18,000 bbls	Discharge																								

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments										
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX										
			<p>Provide this table only when you propose:</p> <ol style="list-style-type: none"><li>1. Drilling operations in the Eastern Planning Area of the GOM.</li><li>2. Drilling operations within the Protective Zones of the Flower Garden Banks and Stetson Bank.</li><li>3. To use oil-based or synthetic-based drilling fluids.</li><li>4. To use new or unusual technology in the handling or discharge of drilling fluids or drill cuttings.</li><li>5. Development drilling operations in deepwater.</li></ol> <p>(You may omit this table if you propose operations in an exempted area. Refer to the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environment/strategy/strategy.html">http://www.gomr.mms.gov/homepg/regulate/environment/strategy/strategy.html</a> for a current listing of exempted areas.)</p> <ol style="list-style-type: none"><li>6. Initial DOCD's or supplemental DOCD's with new multiwell structures that includes disposal in Louisiana coastal waters or onshore Louisiana (15 CFR 930.58(a)(2)).</li><li>7. Initial EP's and DOCD's and supplemental DOCD's with new multiwell structures for which the State of Texas is an affected State (15 CFR 930.58(a)(2)).</li></ol>											
			<p>(2) For each oil-based specialty product you list in the table above, provide:</p> <p>(i) The following table, and</p> <table><tr><th>Name</th><th>Loading Method</th><th>Amount Used</th><th>How Used</th><th>Offloading Method</th></tr><tr><td>Oil based components</td><td>Oil Product shipped in bbls separately</td><td>1,000 bbls</td><td>To make oil-based mud</td><td>Cuttings boxes offloaded via crane on rigs</td></tr></table> <p>(ii) A Material Safety Data Sheet (MSDS) or Internet address for the MSDS.</p>	Name	Loading Method	Amount Used	How Used	Offloading Method	Oil based components	Oil Product shipped in bbls separately	1,000 bbls	To make oil-based mud	Cuttings boxes offloaded via crane on rigs	<p><i>What is the purpose of providing this information in each DOCD? The methods used to load these products are consistent across industry; therefore, there is no need to submit this information in each plan. We recommend that this requirement be omitted from the NTL.</i></p>
Name	Loading Method	Amount Used	How Used	Offloading Method										
Oil based components	Oil Product shipped in bbls separately	1,000 bbls	To make oil-based mud	Cuttings boxes offloaded via crane on rigs										

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments												
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX												
243(c)	<u>Production</u> . The following production information: (1) Estimates of the average and peak rates of production for each type of production, the life of the reservoir(s) you intend to produce, and a production decline curve; and (2) The chemical and physical characteristics of the produced oil (see definition under 30 CFR 254.6) that you will handle or store at the facilities you will use to conduct your proposed development and production activities.	<i>Why do you need the average production rate? How is it utilized? The reservoirs may have different lives. We suggest that it should be the life of the project.</i>	<u>Production</u> . For DOCD’s only, use the format below to provide information about your anticipated production. <table><tr><th>Type</th><th>Avg Prod Rate</th><th>Peak Prod Rate</th><th>Life of Reservoir</th></tr><tr><td>Oil</td><td>5,000 bbls/day</td><td>10,000 bbls/day</td><td>20 years</td></tr><tr><td>Gas</td><td>500 mmcfd</td><td>900 mmcfd</td><td>15 years</td></tr></table> “250.243(c) is Proprietary Data”	Type	Avg Prod Rate	Peak Prod Rate	Life of Reservoir	Oil	5,000 bbls/day	10,000 bbls/day	20 years	Gas	500 mmcfd	900 mmcfd	15 years	<i>Why do you need the average production rate? How is it utilized? The reservoirs may have different lives. We suggest that it should be the life of the project.</i>
Type	Avg Prod Rate	Peak Prod Rate	Life of Reservoir													
Oil	5,000 bbls/day	10,000 bbls/day	20 years													
Gas	500 mmcfd	900 mmcfd	15 years													
243(d)	<u>Chemical products</u> . A table showing the name and brief description, quantities to be stored, storage method, and rates of usage of the chemical products you will use to conduct your proposed development and production activities. You need list only those chemical products you will store or use in quantities greater than the amounts defined as Reportable Quantities in 40 CFR part 302, or amounts specified by the Regional Supervisor.	<i>Following the issuance of NTL 2000-G21, a study was conducted on chemical products usage in the GOM in lieu of this information being submitted in each plan. Therefore, this requirement should specifically exempt the GOM from this requirement.</i>	“Not Required”													
243(e)	<u>New or unusual technology</u> . A description and discussion of any new or unusual technology you will use to carry out your proposed development and production activities (see definition under § 250.200).	<i>In many cases, the use of new or unusual technology includes the use of proprietary information. Therefore, we recommend that the following statement be added to the regulation: “In the public information copies of your DPP or DOCD, you may exclude any proprietary information from this description. In that case, include a brief discussion of the general subject matter of the omitted information. If you will not use any new or unusual technology to carry out your proposed activities, include a statement so indicating.”</i>	<u>New or unusual technology</u> . If you propose to use a new or unusual methodology or technique, as defined in this NTL, to carry out your proposed activities, provide a narrative description of the methodology or technique and the rationale for its selection. In the public information copies of your EP or DOCD, you may exclude any proprietary information from this description. In that case, include a brief discussion of the general subject matter of the omitted information. If you will not use any new or unusual technology to carry out your proposed activities, include a statement so indicating.													
243(f)	<u>Bonds, oil spill financial responsibility, and well control statements</u> . Statements attesting that: 1) The activities and facilities proposed in your DPP or DOCD are covered by an appropriate lease or areawide surety bond or alternative security instrument according to 30 CFR part 256, subpart I; (2) You have demonstrated or will demonstrate oil spill financial responsibility for facilities proposed in your DPP or DOCD, according to 30 CFR part 253; and (3) You have or will have the financial capability to drill a	<i>We recommend that furnishing bonds and oil spill financial responsibility be allowed to be delayed until after the DPP or DOCD has been approved, but before the proposed activities are approved or permitted. Therefore, we recommend adding the following statement to (1) “In lieu of providing bonds and making this statement, you may request, in writing, to delay furnishing the required bond coverage until after your EP, DPP or DOCD is approved but before your proposed activities are</i>	<u>Bonding statement</u> . Provide the following statement regarding your bond coverage:  The bond requirements for the activities and facilities proposed in this [EP][DOCD] are satisfied by a [lease][area-wide] bond, furnished and maintained according to 30 CFR 256, subpart I; NTL No. 2000-G16, “Guidelines for General Lease Surety Bonds,” dated September 7, 2000; and National NTL No. 98-18N. “Supplemental Bond Procedures.” dated													

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	relief well and conduct other emergency well control operations.	<i>approved or permitted. Refer to 30 CFR 256.53(a)(1)(ii)."</i>	December 28, 1998, and addendum dated September 12, 2000.  In lieu of providing bonds and making this statement, you may request, in writing, to delay furnishing the required bond coverage until after your EP or DOCD is approved but before your proposed activities are approved or permitted. Refer to 30 CFR 256.53(a)(1)(ii).	
			<u>Oil spill financial responsibility (OSFR)</u> . Provide the following statement regarding your OSFR coverage: <i>[Company name with MMS company number] [has demonstrated] [will demonstrate]</i> oil spill financial responsibility for the facilities proposed in this <i>[EP][DOCD]</i> according to 30 CFR 253, and National NTL No. 99-N01, "Guidelines for Oil Spill Financial Responsibility for Covered Facilities," dated January 1, 1999.	
			<u>Deepwater well control statement</u> . If you propose to drill a well in deepwater, the provide the following deepwater well control statement: <i>[Company name with MMS company number] [has][will have]</i> the financial capability to drill a relief well and conduct other emergency well control operations.	
<b>243(g)</b>	<u>Suspensions of production or operations</u> . A brief discussion of any suspensions of production or suspensions of operations that you anticipate may be necessary in the course of conducting your activities under the DPP or DOCD.	<i>This should be limited to a SOP or SOOs that have been granted. You may not be able to anticipate that you will need a SOP or SOO at the time the DOCD is filed.</i>	<u>Suspensions of production</u> . For DOCD's only, provide a brief discussion of any approved or anticipated suspensions of production you have, or will seek, to hold the lease(s) or unit involved with your DOCD in active status.	<i>This should be limited to a SOPs that have been granted. You may not be able to anticipate that you will need a SOP or SOO at the time the DOCD is filed.</i>
<b>243(h)</b>	<u>Blowout scenario</u> . A scenario for a potential blowout of the proposed well in your DPP or DOCD that you expect will have the highest volume of liquid hydrocarbons. Include the estimated flow rate, total volume, and timeframe associated with the potential blowout. Also, discuss the potential for the well to bridge over, the likelihood for surface intervention to stop the blowout, the availability of a rig to drill a relief well, and rig package constraints. Estimate the time it would take to drill a relief well.		<u>Blowout scenario</u> . Provide a scenario for a potential blowout of the well proposed in your EP or DOCD you expect to have the highest volume of liquid hydrocarbons. Include the estimated flow rate, total volume, and timeframe associated with the potential blowout. Discuss also the potential for the well to bridge over, the likelihood for surface intervention to stop the blowout, the availability of a rig to drill a relief well, and rig package constraints. Estimate the time it would take to drill a relief well.	

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments																
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX																
			Provide this blowout scenario only when you propose: 1. Activities in the Eastern Planning Area of the GOM. 2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank. 3. To install a surface facility located in water depths greater than 400 meters, or you propose to install a surface facility in any water depth to support subsea development in water depths greater than 400 meters. 4. Initial DOCD’s and supplemental DOCD’s with new multiwell structures for which the State of Louisiana is an affected State (15 CFR 930.58(a)(2)).																	
243(i)	Contact. The name, address (e-mail address, if available), and telephone number of the person with whom the Regional Supervisor and the affected State(s) can communicate with about your DPP or DOCD.		“Not Required”																	
			<div><div><div>Oils characteristics. Using the format below, provide the estimated chemical and physical characteristics of the oils (see definition under 30 CFR 254.6) that will be produced, handled, transported, or stored at the facilities you will use to conduct your proposed activities.</div><table><tr><th>Characteristic</th><th>Analytical Methodologies Should Be Compatible With:</th></tr><tr><td>1. Gravity (API)</td><td>ASTM D4052</td></tr><tr><td>2. Flash Point (°C)</td><td>ASTM D93/IP 34</td></tr><tr><td>3. Pour Point (°C)</td><td>ASTM D97</td></tr><tr><td>4. Viscosity (Centipoise at 25 °C)</td><td>ASTM D445</td></tr><tr><td>5. Wax Content (wt %)</td><td>Precipitate with 2-butanon/dichloromethane (1 to 1 volume) at -10 °C</td></tr><tr><td>6. Asphaltene Content (wt %)</td><td>IP-Method 143/84</td></tr><tr><td>7. Resin Content (wt %)</td><td>Jokuty et al., 1996</td></tr></table></div></div>	Characteristic	Analytical Methodologies Should Be Compatible With:	1. Gravity (API)	ASTM D4052	2. Flash Point (°C)	ASTM D93/IP 34	3. Pour Point (°C)	ASTM D97	4. Viscosity (Centipoise at 25 °C)	ASTM D445	5. Wax Content (wt %)	Precipitate with 2-butanon/dichloromethane (1 to 1 volume) at -10 °C	6. Asphaltene Content (wt %)	IP-Method 143/84	7. Resin Content (wt %)	Jokuty et al., 1996	We note that there is not corresponding regulation requiring this information to be submitted and therefore recommend that this requirement be omitted from the NTL. At the time the DOCD is filed, no reservoir fluids may be available for analysis, unless fluids were collected at the time the exploratory wells were drilled, much less reservoir fluids from the largest reservoir. Since production has not been established, it would not be possible to provide information on stored oil or pipeline oil combined from a number of wells. .
Characteristic	Analytical Methodologies Should Be Compatible With:																			
1. Gravity (API)	ASTM D4052																			
2. Flash Point (°C)	ASTM D93/IP 34																			
3. Pour Point (°C)	ASTM D97																			
4. Viscosity (Centipoise at 25 °C)	ASTM D445																			
5. Wax Content (wt %)	Precipitate with 2-butanon/dichloromethane (1 to 1 volume) at -10 °C																			
6. Asphaltene Content (wt %)	IP-Method 143/84																			
7. Resin Content (wt %)	Jokuty et al., 1996																			

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX		OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002		NTL 200X-GXX
			8. Oil compound distributions: (a) <u>Preferred methodology</u> : wt% or vol% for each boiling point distillation fraction. (b) <u>Alternate methodology</u> : wt% of total oil broken down by hydrocarbon group. In addition to group data already listed under Nos. 5, 6, and 7, provide wt% saturates, aromatics, and BTEX.	(a) ASTM D2892 (TBP distillation) or ASTM D2887/5307 (b) Jokuty et al., 1996	
			9. Sulphur (wt %)	ASTM D4294	
			Characteristic	Analytical Methodologies Should Be Compatible With:	
			1. Gravity (API)	ASTM D4052	
			2. Flash Point (°C)	ASTM D93/IP 34	
			3. Pour Point (°C)	ASTM D97	
			4. Viscosity (Centipoise at 25 °C)	ASTM D445	
			5. Wax Content (wt %)	Precipitate with 2-butanon/dichloromethane (1 to 1 volume) at -10 °C	
			6. Asphaltene Content (wt %)	IP-Method 143/84	
			7. Resin Content (wt %)	Jokuty et al., 1996	

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX		OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002		NTL 200X-GXX
			<div><div><div>8. Oil compound distributions: (a) <u>Preferred methodology</u>: wt% or vol% for each boiling point distillation fraction. (b) <u>Alternate methodology</u>: wt% of total oil broken down by hydrocarbon group. In addition to group data already listed under Nos. 5, 6, and 7, provide wt% saturates, aromatics, and BTEX.</div><div>9. Sulphur (wt %)</div><div>ASTM D4294</div></div><div>For DOCD’s, provide information on the oil composition most likely to result in the largest volume spill (e.g., the oil from the expected largest reservoir, stored oil or pipeline oil combined from a number of wells).  Identify the oil you analyze using one of the following formats:</div><div><div><div>Oil from one well</div><div>Oil from more than one well sampled on a facility</div><div>Oil from a pipeline system</div></div></div></div>		



Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX			OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002			NTL 200X-GXX
			Area/Block MMS platform ID API Well No. Completion perforation interval MMS reservoir name Sample date Sample No. (if more than one is taken)	Area/Block MMS platform ID Field/Unit Sample date Sample No. (if more than one is taken) Listing of API Well Nos. Storage tank ID No. (if sampled at a storage tank)	Pipeline segment number For each pipeline that feeds into the system, the ID codes for the closest upstream LACT units and/or facility measurement points Storage tank ID No. (if sampled at a storage tank)	
			Provide the above two tables only when you propose: 1. Activities in the Eastern Planning Area of the GOM 2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank. 3. To install a surface facility located in water depths greater than 400 meters, or you propose to install a surface facility in any water depth to support subsea development in water depths greater than 400 meters.			
250.244	<b>What geological and geophysical (G&amp;G) information must accompany the DPP or DOCD?</b> The following G&G information must accompany your DPP or DOCD:		“All of 250.214 is Proprietary Data”			<i>Note: If a CID is required to be filed, then this information should not be duplicated in the DOCD. The information should be required if a CID is not required to be filed.</i>
244(a)	<u>Geological description</u> . A geological description of the prospect(s).		<u>Geological description</u> Provide a discussion of the geological objectives including a brief description of the hydrocarbon trapping elements.			<i>MMS currently requests the depth of geopressure be submitted. If you want to continue to receive this information, please request it in the regulation or NTL.</i>
244(b)	<u>Structure contour maps</u> . Current structure contour maps (depth-based, expressed in feet subsea) showing depths of		<u>Structure contour maps</u> . Provide current structure contour maps at a scale of 1 inch = 2,000 feet (depth-			<i>We believe it is overly burdensome on both Industry and MMS to have to get case-by-</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	expected productive formations and the locations of proposed wells.		based, expressed in feet subsea) drawn on the top of each prospective hydrocarbon sand for EP's and each productive hydrocarbon sand for DOCD's, showing the entire lease block and the location of each proposed well and the locations of geological cross-sections. You may use another scale or coverage area for these contour maps on a case-by-case basis if your activities cover more than one lease block and if you obtain prior approval from the Regional Supervisor. (An example of an acceptable map can be found on the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/regs/ntl/s/structmap.pdf">http://www.gomr.mms.gov/homepg/regulate/regs/ntl/s/structmap.pdf</a> .)	<i>case approval to utilize alternate scale or coverage area for the maps. We believe the requirement should be changed to "You may use another scale or coverage area for these contour maps if your activities cover more than one lease block.</i>
<b>244(c)</b>	<u>Two dimensional (2-D) or three-dimensional (3-D) seismic lines</u> . Copies of migrated and annotated 2-D or 3-D seismic lines (with depth scale) intersecting at or near your proposed well locations. (You are not required to conduct both 2-D and 3-D seismic surveys if you choose to conduct only one type of survey.) If you have conducted both types of surveys, the Regional Supervisor may instruct you to submit the results of both surveys. You must interpret and display this information. You must provide this information as an enclosure to only one proprietary copy of your DPP or DOCD.		<u>Interpreted two-dimensional (2-D) and/or three-dimensional (3-D) seismic lines</u> . Provide page-size copies of migrated and annotated (shot points, time lines, well paths) 2-D and/or 3-D seismic lines with depth scale within 500 feet of the surface locations of your proposed wells. Provide this information as an enclosure to one proprietary copy of your EP. You are not required to provide this information if the GOMR has approved the surface locations of your proposed wells in previously submitted EP's and DOCD's.	<i>See comments above.</i>
<b>244(d)</b>	<u>Geological structure cross-sections</u> . Interpreted geological structure cross-sections showing the depths of expected productive formations.		<u>Geological structure cross-sections</u> . Provide interpreted geological structure cross-sections showing the location and depth of each proposed well for EP's and expected productive formations for DOCD's. In addition, show at least one key horizon and the objective sands and label them using standard biostratigraphic terms. Express all depths in feet. (An example of an acceptable cross-section may be found on the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/regs/ntl/s/xsection.pdf">http://www.gomr.mms.gov/homepg/regulate/regs/ntl/s/xsection.pdf</a> .)	
<b>244(e)</b>	<u>Shallow hazards report</u> . A shallow hazards report based on information obtained from a high-resolution geophysical survey or a reference to such report if you have already submitted it to the Regional Supervisor.		<u>Shallow hazards report</u> . If your proposed activities are in less than 400 meters water depth, provide two copies of a shallow hazard report based on information obtained from a high-resolution geophysical survey, or a reference to such report if you have already submitted it to the Regional Supervisor. If your proposed activities are in water	<i>Why do we need to provide a listing of the lease blocks covered by a shallow hazard survey? We recommend that this be omitted from the NTL.</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation		OOO Comments	Proposed NTL 200X-GXX	OOO Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
			depths of 400 meters or more, provide three copies of the report. If the report covers multiple leases, provide a listing. Refer to NTL No. 98-20, "Shallow Hazards Requirements," dated September 15, 1998, for guidelines.	
244(f)	<u>Shallow hazards assessment.</u> For each proposed well, an assessment of any seafloor and subsurface geologic and manmade features and conditions that may adversely affect your proposed drilling operations.		drilling operations, prepared using the guidance in NTL No. 98-20. Include a non-proprietary version of this item for those EP's or DOCD's that require Florida Coastal Zone Management consistency.	
244(g)	<u>High resolution seismic lines.</u> Copies of the two intersecting high-resolution survey lines that are closest to your proposed well locations. You must provide this information as an enclosure to only one proprietary copy of your DPP or DOCD.		<p><u>High-resolution seismic lines.</u> Provide an annotated (shot points, time lines, well surface locations, and proximity of wells to line) copy of the high-resolution survey line (shallow penetration subbottom profiler; medium penetration seismic profiler; and sidescan sonar in areas of complex seafloor such as fault scarps, mud mounds, mud lobes) closest to each of the proposed well locations. Provide this information as an enclosure to one proprietary copy of your EP or DOCD. You are not required to provide this information if the GOMR has approved the surface locations of your proposed wells in previously submitted EP's and DOCD's.</p> <p>For activities proposed in deepwater areas, you may replace the high-resolution survey lines with 3-D survey information on a case-by-case basis if you provide the following displays: swath bathymetry/seafloor rendering/edge detection (fault scarp trends) overlain with the seafloor amplitude. However, the vertical resolution of the 3-D surveys is usually not sufficient to detect potential drilling hazards in a complex area (numerous faults, gas vents, slumps, hard bottoms, etc.). Therefore, in a complex area, you may <i><b>not</b></i> replace high-resolution survey lines with 3-D survey information. However, in deepwater areas, you are not required to provide sidescan sonar in water depths greater than 300 meters or magnetometer lines in water depths greater than 200 meters if you obtain the prior approval of the Regional Supervisor on a case-by-case basis.</p>	<p><i>In our experience, MMS is routinely granting approval to not provide the sidescan sonar data in water depths greater than 300 meters or the magnetometer in water depths greater than 200 meters. Therefore, we believe that it is burdensome on both Industry and MMS to get prior approval on a case-by-case basis for not providing this information. Therefore, we recommend that this requirement be deleted.</i></p>
244(h)	<u>Stratigraphic column.</u> A generalized biostratigraphic/lithostratigraphic column from the surface	<i>The Western and Central GOM should be specifically excluded.</i>	<i>"Not required"</i>	

**Subpart B Proposed Regulation, Plans  
OOC Comments**

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
	to the total depth of each proposed well.			
244(i)	<u>Time-versus-depth chart</u> . A seismic travel time-versus-depth chart based on the appropriate velocity analysis in the area of interpretation and specifying the geodetic datum.	<i>The Western and Central GOM should be specifically excluded.</i>	"Not required"	<i>What is meant by "no well control"? We suggest that this either be defined, or MMS should request on a case-by-case basis.</i>
244(j)	<u>Geochemical information</u> . A copy of any geochemical reports you used or generated.	<i>The GOM should be specifically excluded.</i>	"Not required"	
244(k)	<u>Future G&amp;G activities</u> . A brief description of the geophysical and geological explorations and development geophysical activities that you may conduct for lease or unit purposes after your DPP or DOCD is approved.	<i>The GOM should be specifically excluded.</i>	"Not required"	
250.245	<b>What hydrogen sulfide (H<sub>2</sub>S) information must accompany the DPP or DOCD?</b> The following H <sub>2</sub> S information, as applicable, must accompany your DPP or DOCD:			
245(a)	<u>Concentration</u> . The estimated concentration of any H <sub>2</sub> S you might encounter or handle while you conduct your proposed development and production activities.	<i>This should only be required when the area has been classified as H<sub>2</sub>S present. Otherwise you will not know the concentration.</i>	<u>Concentration</u> . Provide the estimated concentration of any H <sub>2</sub> S you might encounter or handle while conducting your proposed activities.	<i>This should only be required when the area has been classified as H<sub>2</sub>S present. Otherwise you will not know the concentration.</i>
245(b)	<u>Classification</u> . Pursuant to § 250.417(c), a request that the Regional Supervisor classify the area of your proposed development and production activities as either H <sub>2</sub> S absent, H <sub>2</sub> S present, or H <sub>2</sub> S unknown. Provide sufficient information to justify your request.		<u>Classification</u> . According to 30 CFR 250.417(c), request that the Regional Supervisor classify the area of your proposed activities as either H <sub>2</sub> S absent, H <sub>2</sub> S present, or H <sub>2</sub> S unknown. Provide sufficient information to justify your request (e.g., concentrations from at least one correlative well).	<i>We recommend that you reference at least one correlative well; however, the exact concentrations from offset wells may not be known.</i>
245(c)	<u>H<sub>2</sub>S Contingency Plan</u> . If you request that the Regional Supervisor classify the area of your proposed activities as either H <sub>2</sub> S present or H <sub>2</sub> S unknown, an H <sub>2</sub> S Contingency Plan prepared pursuant to § 250.417(f) or a reference to an approved or submitted H <sub>2</sub> S Contingency Plan that covers the proposed development and production activities.		<u>H<sub>2</sub>S Contingency Plan</u> . If you request that the Regional Supervisor classify the area of your proposed activities as either H <sub>2</sub> S present or H <sub>2</sub> S unknown, provide one of the following: (1) an H <sub>2</sub> S Contingency Plan prepared according to 30 CFR 250.417(f), (2) a reference to an approved or submitted H <sub>2</sub> S Contingency Plan that covers the proposed activities, or (3) the following statement: [ <u>Company name</u> ] will submit to the appropriate GOMR district office an H <sub>2</sub> S Contingency Plan prepared according to 30 CFR 250.417(f) before conducting the proposed [ <u>exploration</u> ][ <u>development and production</u> ] activities.	
245(d)	<u>Modeling report</u> . (1) If you have determined or estimated	(3) <i>The requirement for specific modeling</i>	<u>Modeling report</u> . If you have determined or	<i>The requirements in the NTL differ</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<b>OOC Comments</b>	<b>Proposed NTL 200X-GXX</b>	<b>OOC Comments</b>
<b>Section</b>	<b>Text</b>	<b>Proposed Regulation</b>	<b>Draft May 17, 2002</b>	<b>NTL 200X-GXX</b>
	that the concentration of any H <sub>2</sub> S you may encounter or handle while you conduct your development and production activities will be greater than 500 parts per million (ppm), you must: (i) Model a potential worst case H <sub>2</sub> S release from the facilities you will use to conduct your proposed development and production activities; and (ii) Include a modeling report, or the modeling results, or a reference to such report or results if you have already submitted it to the Regional Supervisor. (2) The analysis in the modeling report must be specific to the particular site of your development and production activities and must consider any nearby human-occupied OCS facilities, shipping lanes, fishery areas, and other points where humans may be subject to potential exposure from an H <sub>2</sub> S release from your proposed activities. (3) If any H <sub>2</sub> S emissions are projected to affect an onshore area, the modeling analysis must be consistent with the Environmental Protection Agency's (EPA) risk management plan methodologies outlined in 40 CFR part 68.	<i>requirement if any H2S at any concentration, no matter how low, affects an onshore area is too restrictive. This should be limited to if the H2S concentration is greater than 10 parts per million at an onshore location.</i>	estimated that you will encounter or handle H <sub>2</sub> S at concentrations greater than 500 parts per million (ppm), model a potential worst-case accidental H <sub>2</sub> S release from the facilities you will use to conduct your proposed activities. Provide two copies of a modeling report or the modeling results (see 30 CFR 250.417) or a reference to such report or results if they have already been submitted to the Regional Supervisor. Include the meteorological data you use in the modeling (as an ASCII-formatted model input file). The analysis in the report should be specific to the particular site of your activity and should consider any nearby human-occupied OCS facilities, shipping lanes, fishery areas, and other points where humans may be subject to potential exposure from an H <sub>2</sub> S release from your proposed activities. If your projected emissions would effect a concentration of H <sub>2</sub> S of 10 ppm or greater at an onshore area, the modeling analysis should be consistent with the risk management plan (RMP) methodologies of the Environmental Protection Agency (EPA) outlined in 40 CFR 68.	<i>significantly from the regulation. What is the basis for requiring modeling for an DOCD? If a model study is done, we have no problem with providing the report to MMS.</i>
<b>250.246</b>	<b>What mineral resource conservation information must accompany the DPP or DOCD?</b> The following mineral resource conservation information, as applicable, must accompany your DPP or DOCD:	<i>The Central and Western GOM should be specifically excluded.</i>		
<b>246(a)</b>	<u>Technology and reservoir engineering practices and procedures</u> . A description of the technology and reservoir engineering practices and procedures you may use to increase the ultimate recovery of oil and gas (e.g., secondary, tertiary, or other enhanced recovery practices).	<i>This should be limited to engineering practices and procedures you propose to use in your DPP or DOCD.</i>	<u>Technology and reservoir engineering practices and procedures</u> . For DOCD's only, provide a brief description of the technology and reservoir engineering practices and procedures you may use to increase the ultimate recovery of oil and gas (e.g., secondary, tertiary, or other enhanced recovery practices).	<i>This should be limited to engineering practices and procedures you propose to use in your DOCD.</i>
<b>246(b)</b>	<u>Technology and recovery practices and procedures</u> . A description of the technology and recovery practices and procedures you may use to ensure optimum recovery of oil and gas and/or sulphur.	<i>This should be limited to technology and recovery practices and procedure you propose to use in your DPP or DOCD.</i>	<u>Technology and recovery practices and procedures</u> . For DOCD's only, provide a brief description of the technology and recovery practices and procedures you may use to ensure optimum recovery of oil and gas and/or sulphur.	<i>This should be limited to technology and recovery practices and procedure you propose to use in your DOCD.</i>
<b>246(c)</b>	<u>Reservoir development</u> . A discussion of exploratory well results, other reservoir data, proposed well spacing, completion methods, and other relevant well plan information.	<i>Why is this information requested? The DOCD contains the development plan. MMS already has the well logs, etc.</i>	<u>Reservoir development</u> . For DOCD's only, provide a brief discussion of your exploratory well results, other reservoir data, proposed well spacing, completion methods, and other relevant well plan	<i>Why is this information requested? The DOCD contains the development plan. MMS already has the well logs, etc.</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
			information.	
<b>250.247</b>	<b>What biological, physical, and socioeconomic information must accompany the DPP or DOCD?</b> In developing your DPP or DOCD, if you obtain the following information, you must include a report, or the information obtained, or a reference to such a report or information if you have already submitted it to the Regional Supervisor, as accompanying information:			
<b>247(a)</b>	<u>Biological environment reports</u> . Site-specific information on chemosynthetic communities, sensitive underwater features, marine sanctuaries, or other areas of biological concern.		<u>Chemosynthetic communities report</u> . If you propose activities that could disturb seafloor areas in deepwater, provide the report described in Attachment B of NTL No. 2000-G20, “Deepwater Chemosynthetic Communities,” dated December 26, 2000.	
			<u>Topographic features plat</u> . If you propose to use a semisubmersible drilling rig and any of the associated anchors are to be placed within 500 feet of the No Activity Zone of an identified topographic feature, provide a plat at an appropriate scale on letter-sized paper that depicts bathymetry, the No Activity Zone of the topographic feature, the surface location of each proposed well or platform, and the position of anchors and chains relative to each proposed surface location. Refer to NTL No. 98-12 “Implementation of Consistent Biological Stipulation Measures in the Central and Western GOM,” dated August 10, 1998, for guidelines.	<i>The requirement should not be limited to a semi-submersible drilling rig; it should also include any anchored drilling rig or any anchored installation vessel.</i>
			<u>Pinnacle trend report (Central Gulf of Mexico Planning Area)</u> . If you have the Pinnacle Trend Stipulation attached to your lease, provide the appropriate number of copies of the report as described in NTL No. 200X-GXX (to be developed consistent with final regulations).  The OCS blocks affected by this stipulation are Main Pass Area, Blocks 190, 194, 198, 219-226, 244-266, 276-290; and Viosca Knoll Area, Blocks 473-476, 521, 522, 564-566, 609, 610, 654, 692-698, 734, and 778.	<i>Prior to MMS issuing the proposed NTL, OOC requests permission to review and comment on the NTL.</i>
			<u>Live bottoms report (Eastern Gulf of Mexico Planning Area)</u> . If you have the Live Bottom Stipulation attached to your lease, provide five	

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
			copies of the report described in NTL No. 99-G16, “Live-Bottom Surveys and Reports,” dated July 8, 1999.	
			<u>Remotely-operated vehicle (ROV) monitoring survey plan.</u> If you propose activities that could disturb seafloor areas in deepwater, provide an ROV monitoring survey plan prepared by using the guidance in NTL No. 2001-G04, “Remotely Operated Vehicle Surveys in Deepwater,” dated June 1, 2001.	<i>The DOCD approval letter should specifically state that an ROV monitoring survey is required.</i>
<b>247(b)</b>	<u>Physical environment reports.</u> Site-specific meteorological, physical oceanographic, geotechnical, or archaeological information.	<i>In the GOM, limited site-specific meteorological data (temperature, wind, etc) may be collected, but not necessarily in any formal, organized or scientific fashion. This data should not have to be submitted. Therefore, we recommend that this requirement be eliminated for the GOM. Similarly, limited physical oceanographic information may be collected, but not necessarily in any formal, organized or scientific fashion. This data should not have to be submitted. Therefore, we recommend that this requirement be eliminated for the GOM.</i>	<u>Archaeological report.</u> When you propose bottom-disturbing activities in areas that have been identified as High Probability Shipwreck blocks or prehistoric areas, provide three copies of an archaeological report or a reference to such a report if it has already been provided to the Regional Supervisor. Refer to NTL No. 2002-G01, “Archaeological Surveys and Reports,” effective March 15, 2002, for guidelines.	
			<u>Physical oceanographic statement.</u> Provide a statement indicating whether or not you have gathered or intend to gather physical oceanographic information related to your EP or DOCD.	<i>What is the purpose of providing this statement? At the time that a DOCD is filed, you may not know if you intend to gather physical oceanographic information. We recommend that this requirement be eliminated from the NTL.</i>
<b>247(c)</b>	<u>Socioeconomic study reports.</u> Socioeconomic information regarding your proposed development and production activities.		“Not Required”	
<b>250.248</b>	<b>What solid and liquid wastes and discharges information and cooling water intake information must accompany the DPP or DOCD?</b> The following solid and liquid wastes and discharges information and cooling water intake information must accompany your DPP or DOCD:			
<b>248(a)</b>	<u>Projected wastes.</u> A table providing the name, brief description, projected quantity (annual or monthly), and composition of solid and liquid wastes (such as spent drilling fluids, drill cuttings, trash, sanitary and domestic wastes, produced waters, and chemical product wastes) likely to be generated by your proposed development and	<i>Providing the quantity of a waste either annually or monthly may be difficult to estimate. An appropriate unit of measure should be utilized which could include on a per well or per person basis). The chemical product wastes should be limited to “treating” chemicals (not include housekeeping, etc</i>	<u>Projected wastes.</u> Using the format below, provide information on the projected solid and liquid wastes likely to be generated by your proposed activities. Include both operational wastes permitted by the appropriate NPDES permit and any other identified wastes.	<i>Many of these wastes are common across industry in type, composition and projected amount. Why should everyone have to submit the same information in each plan? The chemical study conducted after NTL 2000-G21 was issued showed that there</i>

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOO Comments	Proposed NTL 200X-GXX			OOO Comments																
Section	Text	Proposed Regulation	Draft May 17, 2002			NTL 200X-GXX																
	production activities. Describe: (1) The methods you used for determining this information; and (2) Your plans for treating, storing, and downhole disposal of these wastes at your facility location(s).	chemical wastes.)	<table><tr><th>Type of Waste</th><th>Composition</th><th>Projected Amount</th></tr><tr><td>Spent drilling fluids</td><td>Water-based drilling muds</td><td>8,000 bbls/well</td></tr><tr><td>Cuttings containing Synthetic-based mud</td><td>Cuttings coated with ester-based Synthetic drilling muds</td><td>600 bbls/well</td></tr><tr><td>Chemical product wastes</td><td>Ethylene glycol Methanol</td><td>100 bbls/month 25 bbls/month</td></tr><tr><td>Trash</td><td>Refuse generated during painting operations</td><td>50 bbls/month</td></tr></table>	Type of Waste	Composition	Projected Amount	Spent drilling fluids	Water-based drilling muds	8,000 bbls/well	Cuttings containing Synthetic-based mud	Cuttings coated with ester-based Synthetic drilling muds	600 bbls/well	Chemical product wastes	Ethylene glycol Methanol	100 bbls/month 25 bbls/month	Trash	Refuse generated during painting operations	50 bbls/month	<p>Describe also your plans for treating, storing, or downhole disposal of these wastes at your facility locations(s).</p> <p>Provide this table and description only when you propose:</p> <p>1. Activities in the Eastern Planning Area of the GOM.</p> <p>2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank.</p> <p>3. To use new or unusual technology that changes the nature or magnitude of the waste stream.</p> <p>4. To use a sulphur recovery unit(s).</p> <p>5. Deepwater development operations. (You may omit this table if you propose operations in an exempted area. Refer to the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environment/strategy/strategy.html">http://www.gomr.mms.gov/homepg/regulate/environment/strategy/strategy.html</a> for a current listing of exempted areas.)</p> <p>6. Initial EP’s, DOCD’s, or Supplemental DOCD’s with new multiwell structures for which the State of Texas is an affected State (15 CFR 930.58(a)(2)).</p>			<p>were only two chemicals of concern . We suggest providing information on these two chemicals only. Why do we need to continue to provide information on all the other chemicals?</p> <p>Also, some of these wastes are handled by contractors and the operator may not have all of the specific information. This would include such items as painting wastes by the drilling rig contractor.</p>
Type of Waste	Composition	Projected Amount																				
Spent drilling fluids	Water-based drilling muds	8,000 bbls/well																				
Cuttings containing Synthetic-based mud	Cuttings coated with ester-based Synthetic drilling muds	600 bbls/well																				
Chemical product wastes	Ethylene glycol Methanol	100 bbls/month 25 bbls/month																				
Trash	Refuse generated during painting operations	50 bbls/month																				



Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments												
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX												
			7. Initial or supplemental DOCD’s for which the State of Alabama is an affected State (15 CFR 930.58(a)(2)). 8. Initial DOCD’s or supplemental DOCD’s with new multiwell structure that includes disposal in Louisiana State waters or onshore Louisiana (15 CFR 930.58(a)(2)).													
248(b)	<u>Projected ocean discharges</u> . If any of your solid and liquid wastes will be discharged overboard or are planned discharges from manmade islands: (1) A table showing the name, projected amount, and rate of discharge for each waste type; and (2) A description of the discharge method you will use.	<i>Please clarify what is meant by discharge method.</i>	<u>Projected ocean discharges</u> . If any of your solid and liquid wastes are to be discharged overboard, use the format below to provide the following information. <table><tr><th>Type of Waste</th><th>Total Amount to be Discharged</th><th>Discharge Rate</th><th>Discharge Method</th></tr><tr><td>Spent drilling fluids and cuttings containing synthetic based mud</td><td>5,000 bbls</td><td>200 bbls/day</td><td>Shunt through downpipe to 40 feet above the mudline</td></tr><tr><td>Chemical product wastes</td><td>50 bbls</td><td>2 bbls/day</td><td>Add to produced water stream</td></tr></table> <p>Provide this table only when you propose: 1. Activities in the Eastern Planning Area of the GOM. 2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank. 3. To use new or unusual technology that changes the nature or size of the waste stream. 4. Deepwater development operations. (You may omit this table if you propose operations in an exempted area. Refer to the MMS Internet website a <a href="http://www.gomr.mms.gov/homepg/regulate/environment/strategy/strategy.html">http://www.gomr.mms.gov/homepg/regulate/environment/strategy/strategy.html</a> for a current listing of exempted areas.)</p>	Type of Waste	Total Amount to be Discharged	Discharge Rate	Discharge Method	Spent drilling fluids and cuttings containing synthetic based mud	5,000 bbls	200 bbls/day	Shunt through downpipe to 40 feet above the mudline	Chemical product wastes	50 bbls	2 bbls/day	Add to produced water stream	<i>This information should be combined with the information above so that it doesn’t have to be repeated.</i>
Type of Waste	Total Amount to be Discharged	Discharge Rate	Discharge Method													
Spent drilling fluids and cuttings containing synthetic based mud	5,000 bbls	200 bbls/day	Shunt through downpipe to 40 feet above the mudline													
Chemical product wastes	50 bbls	2 bbls/day	Add to produced water stream													

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
			5. Initial EP, DOCD, or Supplemental DOCD with new multiwell structures for which the State of Texas is an affected State (15 CFR 930.58(a)(2)). 6. Initial or supplemental EP or DOCD for which the State of Alabama is an affected State (15 CFR 930.58(a)(2)).	
<b>248(c)</b>	<u>National Pollutant Discharge Elimination System (NPDES) permit.</u> (1) A discussion of how you will comply with the provisions of the applicable general NPDES permit that covers your proposed development and production activities; or (2) A copy of your application for an individual NPDES permit. Briefly describe the major discharges and methods you will use for compliance.	<i>(1) The GOM should be specifically excluded from this requirement.</i>	Provide either a copy of your application for a required <b>individual</b> NPDES permit or the final permit. Briefly describe the major discharges and the methods you will use to comply with that permit.	<i>An application for an individual permit may not have been completed at the time the DOCD is filed. The requirement should be to either provide it at the time the DOCD is filed or when it is filed with EPA, which ever is later.</i>
<b>248(d)</b>	<u>Modeling report.</u> In developing your DPP or DOCD, if you model the discharges of your projected solid or liquid wastes, a modeling report, or the modeling results, or a reference to such report or results if you have already submitted it to the Regional Supervisor.		<u>Modeling report.</u> Model the trajectory or fate of discharges of the projected solid or liquid wastes generated by your proposed activities. Provide two copies of a modeling report or the modeling results, or a reference to such report or results if it has already been submitted to the Regional Supervisor. Include the oceanographic data you used in the modeling in the report. Refer to NTL No. 200X-GXX (to be developed consistent with final regulations) for further guidance on discharge modeling and report preparation.  Perform this modeling and provide this report only when you propose activities for which the U.S. Environmental Protection Agency requires an <b>individual</b> NPDES permit.	<i>Modeling should only be required if EPA requires modeling.</i>
<b>248(e)</b>	<u>Projected cooling water intake.</u> A table for each cooling water intake structure likely to be used by your proposed development and production activities that includes a brief description of the cooling water intake structure, daily water intake rate, water intake through-screen velocity, percentage of water intake used for cooling water, mitigation measures for reducing impingement and entrainment of aquatic organisms, and biofouling prevention measures.		<i>"Not Required"</i>	
<b>250.249</b>	<b>What air emissions information must accompany the DPP or DOCD?</b>			<i>Note: We suggest that the air emission section be revisited after the analysis of the</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<b>OOC Comments</b>	<b>Proposed NTL 200X-GXX</b>	<b>OOC Comments</b>
<b>Section</b>	<b>Text</b>	<b>Proposed Regulation</b>	<b>Draft May 17, 2002</b>	<b>NTL 200X-GXX</b>
	The following air emissions information, as applicable, must accompany your DPP or DOCD:			<i>BOADS/GOADS studies are complete.</i>
<b>249(a)</b>	<p><u>Projected emissions.</u> Tables showing the projected emissions of sulphur dioxide (SO<sub>2</sub>), particulate matter in the form of PM<sub>10</sub> and PM<sub>2.5</sub> when applicable, nitrogen oxides(NO<sub>x</sub>), carbon monoxide (CO), and volatile organic compounds (VOC) that will be generated by your proposed development and production activities.-(1) For each source on or associated with the facility you will use to conduct your proposed development and production activities, you must list:</p> <p>(i) The projected peak hourly emissions;</p> <p>(ii) The total annual emissions in tons per year;</p> <p>(iii) Emissions over the duration of the proposed development and production activities;</p> <p>(iv) The frequency and duration of emissions; and</p> <p>(v) The total of all emissions listed in paragraph (a)(1)(i) through (iv) of this section.</p> <p>(2) For a facility modification, you must show the revised emission rates for each source as well as the incremental change for each source.</p> <p>(3) You must provide the basis for all calculations including engine size and rating and applicable operational information.</p> <p>(4) You must base the projected emissions on the maximum rated capacity of the equipment and the maximum throughput of the facility you will use to conduct your proposed development and production activities under its physical and operational design.</p> <p>(5) If the specific drilling unit has not yet been determined, you must use the maximum emission estimates for the type of drilling unit you will use.</p>	<p><i>Emission factors (EF) for PM<sub>10</sub> and PM<sub>2.5</sub> based upon natural gas fired units measured by conventional EPA methods are probably high by a factor of 10 – 50 based upon recent DOE/API studies. Current MMS-138 and MMS-139 use an EF of 7.6 lbs of PM (Total) per 10<sup>6</sup> scf. (EP-42, Table 1.4-2, July 1998). It is assumed that all the PM is less than 1.0 microns in diameter. Why speciate PM when EF are of such poor quality?</i></p> <p><i>(2) How is a facility modification defined?</i></p> <p><i>(4) Utilizing the maximum rated capacity of the equipment is unrealistic. The projected emissions should be based on the proposed operational scenario for the proposed activities in the plan. What is considered to be the “maximum throughput”? In many cases, de-bottle necking can occur to increase the “maximum” through put.</i></p>	<p><u>Emissions worksheets and screening questions.</u> For activities proposed in your EP or DOCD, make two different emission calculations, one for the projected emissions associated with the activities proposed in your EP or DOCD, which are referred to as Plan Emissions, and another for the Complex Total Emissions. Complex Total Emissions are the sum of the projected Plan Emissions plus the projected emissions from all existing co-located facilities and activities. Existing co-located facilities and activities are those at the same surface location as your proposed activities, including any group of installations interconnected with walkways and/or bridges. If there are no existing facilities and activities co-located with your proposed activities, the Complex Total Emissions are the same as the Plan Emissions.</p> <p>(1) Emissions Worksheets. Calculate the Plan Emissions and the Complex Total Emissions associated with your proposed activities using the methodology, emission factors, and worksheets in Form MMS-138 for EP’s and Form MMS-139 for DOCD’s. These forms are on the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environment/airquality/reporting.html">http://www.gomr.mms.gov/homepg/regulate/environment/airquality/reporting.html</a>. According to your answers to the screening questions in paragraph (2) below, you may need to include the worksheets in your EP or DOCD.</p> <p>(i) You may base the emissions on the maximum rated capacity of the equipment associated with your activities or by using emission reduction measures or modified emission factors. However, please be advised that if you base your emissions calculations on the use of emission reduction measures or modified emission factors, you will need to submit the worksheets and the documentation described in paragraphs (c)(3) and/or (c)(4) below.</p> <p>(ii) If you have not determined the specific drilling</p>	<p><i>Introduction of the term “Complex Total Emissions” may cause confusion. What are the boundaries for co-located facilities? If facilities are in close proximity, but not interconnected by walkways and/or bridges, are they considered to co-located. In the Users Guide for GOADS the use of the term “MMS Complex ID” is used to specify a unique identifier code that is assigned to a group of related structures prior to construction by the MMS. Does a MMS Complex ID have to exist to calculate “Complex Total Emissions?”</i></p> <p><i>In our opinion, connecting two platform by pipeline or a subsea well and platform by pipeline where the two platforms or the well and platform are not at the same surface location does not meet the definition of co-located facilities. If you disagree, please explain why they should be considered co-located.</i></p>

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments																								
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX																								
			unit you will use, use the maximum emission estimates for the <i>type</i> of drilling unit (i.e., jackup, platform rig, barge, submersible, semisubmersible, or drillship) in your calculations. You can find the maximum emission estimates for each drilling unit type on the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environment/airquality/reporting.html">http://www.gomr.mms.gov/homepg/regulate/environment/airquality/reporting.html</a> .																									
			<div><div>(2) Screening Questions. For DOCD’s, use the format below to answer questions regarding your calculated air emission amounts.</div><table><tr><th>Screening Questions for DOCD’s</th><th>Y</th><th>N</th></tr><tr><td>Is any calculated Complex Total (CT) Emission amount (tons) associated with your proposed development and production activities more than 90% of the amounts calculated using the following formulas: CT = 3400D<sup>2/3</sup> for CO, and CT = 33.3D for the other air pollutants (where D = distance to shore in miles)?</td><td></td><td></td></tr><tr><td>Do your emission calculations include any emission reduction measures or modified emission factors?</td><td></td><td></td></tr><tr><td>Does or will the facility complex associated with your proposed development and production activities process production from eight or more wells?</td><td></td><td></td></tr><tr><td>Do you expect to encounter H<sub>2</sub>S at concentrations greater than 20 parts per million (ppm)?</td><td></td><td></td></tr><tr><td>Do you propose to flare or vent natural gas in excess of the criteria set forth under 250.1105(a)(2) and (3)?</td><td></td><td></td></tr><tr><td>Do you propose to burn produced hydrocarbon liquids?</td><td></td><td></td></tr><tr><td>Are your proposed development and production activities located within 25 miles from shore?</td><td></td><td></td></tr></table></div>	Screening Questions for DOCD’s	Y	N	Is any calculated Complex Total (CT) Emission amount (tons) associated with your proposed development and production activities more than 90% of the amounts calculated using the following formulas: CT = 3400D <sup>2/3</sup> for CO, and CT = 33.3D for the other air pollutants (where D = distance to shore in miles)?			Do your emission calculations include any emission reduction measures or modified emission factors?			Does or will the facility complex associated with your proposed development and production activities process production from eight or more wells?			Do you expect to encounter H <sub>2</sub> S at concentrations greater than 20 parts per million (ppm)?			Do you propose to flare or vent natural gas in excess of the criteria set forth under 250.1105(a)(2) and (3)?			Do you propose to burn produced hydrocarbon liquids?			Are your proposed development and production activities located within 25 miles from shore?			<div><div>What is the purpose of the screening questions if you have to perform all of the calculations in order to provide the requested summary information? If you answer no to all of the screen questions, no further analysis should be required.</div><div>The use of the term “Complex Total Emissions” for an EP will lead to questions regarding aggregation. The EPA’s MACT rulemaking for the onshore Oil and Gas Industry was delayed for many years over what constituted an “emitting facility” in terms of adjoining leases and facilities.</div><div>(2) Should be able to use all of the exemption level for screening and not be limited to 90%.</div><div>(b) (3)Under what circumstances will MMS require you to submit the entire set of worksheets?</div><div>(c)(1)If the Plan and Complex worksheets are the same, then why do two sets of worksheets need to be submitted.</div><div>(c)(2) A contact name has been provided for the DOCD and this should be sufficient for the air emission calculations. Many operators may not want MMS to contact the person who actually performed the air emission calculations directly and without</div></div>
Screening Questions for DOCD’s	Y	N																										
Is any calculated Complex Total (CT) Emission amount (tons) associated with your proposed development and production activities more than 90% of the amounts calculated using the following formulas: CT = 3400D <sup>2/3</sup> for CO, and CT = 33.3D for the other air pollutants (where D = distance to shore in miles)?																												
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Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments		Proposed NTL 200X-GXX				OOC Comments																					
Section	Text	Proposed Regulation		Draft May 17, 2002				NTL 200X-GXX																					
				<div>Are your proposed development and production activities located within 200 kilometers of the Breton Wilderness Area?</div> <div>In calculating CT for addressing the first question, express the distance to shore (D) in tenths of a statute mile for distances up to 20 miles and in whole statute miles for distances 20 miles and beyond. Use the nearest point of any land, which is the distance from the facility complex to the mean high water mark of any State, including barrier islands and shoals, to determine the distance to shore.</div> <div>(b) If you answer <i><b>no</b></i> to <u>all</u> of the above screening questions from the appropriate table, provide: (1) Summary information regarding the peak year emissions that will be generated by and associated with your Plan Emissions and Complex Total Emissions. This information is compiled on the summary form of the two sets of worksheets, and you can submit either these summary forms or the format below. You do not need to include the entire set of worksheets.</div> <table><tr><th>Air Pollutant</th><th>Plan Emission Amounts<sup>1</sup> (tons)</th><th>Calculated Exemption Amounts<sup>2</sup> (tons)</th><th>Calculated Complex Total Emission Amounts<sup>3</sup> (tons)</th></tr><tr><td>Carbon monoxide (CO)</td><td></td><td></td><td></td></tr><tr><td>Particulate matter PM</td><td></td><td></td><td></td></tr><tr><td>Suphur dioxide (SO2)</td><td></td><td></td><td></td></tr><tr><td>Nitrogen oxides (NOX)</td><td></td><td></td><td></td></tr></table>				Air Pollutant	Plan Emission Amounts <sup>1</sup> (tons)	Calculated Exemption Amounts <sup>2</sup> (tons)	Calculated Complex Total Emission Amounts <sup>3</sup> (tons)	Carbon monoxide (CO)				Particulate matter PM				Suphur dioxide (SO2)				Nitrogen oxides (NOX)				the knowledge of the DOCD contact person.	
Air Pollutant	Plan Emission Amounts <sup>1</sup> (tons)	Calculated Exemption Amounts <sup>2</sup> (tons)	Calculated Complex Total Emission Amounts <sup>3</sup> (tons)																										
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Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX				OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002				NTL 200X-GXX
			Volatile organic compounds (VOC)				
			<p><sup>1</sup> For activities proposed in your EP or DOCD, list the projected emissions calculated from the worksheets.</p> <p><sup>2</sup> List the exemption amounts for your proposed activities calculated by using the formulas in 30 CFR 250.303(d).</p> <p><sup>3</sup> List the complex total emissions associated with your proposed activities calculated from the worksheets</p> <p>(2) The name, telephone number, and e-mail address of the person(s) who calculated the projected Plan Emissions, Complex Total Emissions, and exemption amounts.</p> <p>(3) Following your submittal of the summary information, the GOMR may need you to submit the entire set of worksheets regardless of your response to the above screening questions. The GOMR will make this determination on a case-by-case basis.</p> <p>(c) If you answer <b>yes</b> to <u>any</u> of the above screening questions from the appropriate table, provide:</p> <p>(1) <u>Worksheets</u>. Two sets of worksheets; one showing the emission calculations for your Plan Emissions and one showing the emission calculations for the Complex Total Emissions.</p> <p>(2) <u>Contact(s)</u>. The name, telephone number, and e-mail address of the person(s) who calculated the projected Plan Emission, Complex Total Emission, and exemption amounts.</p>				
249(b)	<u>Emission reduction measures</u> . A description of any proposed emission reduction measures, including the affected source(s), the emission reduction control technologies or procedures, the quantity of reductions to be achieved, and any monitoring system you propose to use to measure emissions.		<u>Emission reduction measures</u> . If your calculation of the projected Plan Emission or Complex Total Emission amounts includes emissions reduction measures, submit your worksheets and also use the format below to describe the emission reduction measures. You may use actual fuel usage information (e.g., run times, fuel consumption) for the existing co-located facilities and activities. If				(3) <i>Using actual fuel usage information should not be limited to existing co-located facilities and activities. This should be allowed for drilling rigs, barges, etc. In all cases, the actual fuel usage should reflect similar operating conditions. Also for new facilities, you should be able to use typical operation parameters.</i>

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments																				
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX																				
			<div>you do, provide 6 to 12 months of data for determining the average fuel usage. The actual fuel usage you use in the emissions calculations cannot be less than the average fuel usage.</div> <table><tr><th>Emission Source</th><th>Reduction Control Method</th><th>Amount of Reduction</th><th>Monitoring System</th></tr><tr><td>Compressor</td><td>Clean burn technology</td><td>100 tons NO<sub>x</sub>/year</td><td>Periodic stack test</td></tr><tr><td>Prime mover</td><td>Low sulphur fuel</td><td>10 tons SO<sub>2</sub>/year</td><td>Visual check of fuel color and fuel receipts</td></tr><tr><td>Prime mover</td><td>Actual Fuel Consumption</td><td>300 tons NO<sub>x</sub>/year</td><td>Fuel Log</td></tr><tr><td>Generator</td><td>Actual Run Time</td><td>100 tons NO<sub>x</sub>/year</td><td>Run Time Log</td></tr></table> <div>(4) <u>Verification of nondefault emission factors</u>. If you use any air emission factors less than the default values in your calculation of the projected Plan Emission or Complex Total Emission amounts, provide documentation supporting the use of the smaller emission factors. However, if the actual emission factor is known to be greater than the default emission factor, use the actual emission factor.</div>	Emission Source	Reduction Control Method	Amount of Reduction	Monitoring System	Compressor	Clean burn technology	100 tons NO <sub>x</sub> /year	Periodic stack test	Prime mover	Low sulphur fuel	10 tons SO <sub>2</sub> /year	Visual check of fuel color and fuel receipts	Prime mover	Actual Fuel Consumption	300 tons NO <sub>x</sub> /year	Fuel Log	Generator	Actual Run Time	100 tons NO <sub>x</sub> /year	Run Time Log	<div>We question if providing the amount of reduction is meaningful information since it is just a theoretical calculated number.</div> <div>(4) Do you have to provide information supporting the use of an actual emission factor that is greater than a default emission factor?</div>
Emission Source	Reduction Control Method	Amount of Reduction	Monitoring System																					
Compressor	Clean burn technology	100 tons NO <sub>x</sub> /year	Periodic stack test																					
Prime mover	Low sulphur fuel	10 tons SO <sub>2</sub> /year	Visual check of fuel color and fuel receipts																					
Prime mover	Actual Fuel Consumption	300 tons NO <sub>x</sub> /year	Fuel Log																					
Generator	Actual Run Time	100 tons NO <sub>x</sub> /year	Run Time Log																					
249(c)	Processes, equipment, fuels, and combustibles. A description of processes, processing equipment, combustion equipment, fuels, and storage units. You must include the frequency, duration, and maximum burn rate of any flaring activity.		“Included above”																					
249(d)	Distance to shore. Identification of the distance of the site of your proposed development and production activities		“Included above”																					

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	from the mean high-water mark (mean higher high-water mark on the Pacific coast) of the adjacent State.			
<b>249(e)</b>	<u>Non-exempt facilities</u> . A description of how you will comply with § 250.303 when the projected emissions of SO <sub>2</sub> , PM, NO <sub>x</sub> , CO, or VOC that will be generated by your proposed development and production activities are greater than the respective emission exemption amounts “E” calculated using the formulas in § 250.303(d). When MMS requires air quality modeling, you must use the guidelines in Appendix W of 40 CFR part 51 with a model approved by the Director. Submit the best available meteorological information and data consistent with the model(s) used.		<u>Non-exempt activities</u> . If the calculated Complex Total Emission amount for any pollutant (CO, PM, SO <sub>2</sub> , NO <sub>x</sub> , or VOC) is greater than the respective emission exemption amount, E, you calculated using the following formulas: $E = 3400D^{2/3}$ for CO, and $E = 33.3D$ for the other air pollutants (i.e., the formulas in 30 CFR 250.303(d)), provide a description of how you will comply with 30 CFR 250.303(e) through (i), as appropriate.	
<b>249(f)</b>	<u>Modeling report</u> . In developing your DPP or DOCD, if you are required by § 250.303 to use an approved air quality model to model projected air emissions, a modeling report, or the modeling results, or a reference to such report or results if you have already submitted it to the Regional Supervisor.		If you are required by 30 CFR 250.303 to use an MMS-approved air quality model to model projected air emissions, adhere to the guidelines in Appendix W of 40 CFR 51 in conducting the modeling and preparing the report. Provide two copies of the modeling report and the modeling results, along with a digital copy (in ASCII format) of the input and output files (including the meteorological data you used in the modeling), or a reference to the report, files, and results if they have already been submitted to the GOMR.	
<b>250.250</b>	<b>What oil and hazardous substance spills information must accompany the DPP or DOCD?</b> The following information regarding potential spills of oil (see definition under 30 CFR 254.6) and hazardous substances (see definition under 40 CFR part 116), as applicable, must accompany your DPP or DOCD:			
<b>250(a)</b>	<u>Oil spill response planning</u> . The material required under either paragraph (a)(1) or (a)(2) of this section: (1) An Oil Spill Response Plan (OSRP) for the facilities you will use to conduct your proposed development and production activities prepared according to the requirements of 30 CFR part 254, subpart B; or (2) Reference to your approved regional OSRP (see 30 CFR 254.3) to include: (i) A discussion of your regional OSRP; (ii) The location of your primary oil spill equipment base and staging area; (iii) The name(s) of your oil spill removal organization(s)	(iii) <i>The OSRO’s are included in the regional OSRP, why do they have to be named in each DPP or DOCD?</i>  (iv) <i>What is the purpose of providing a comparison between the site specific worst case discharge and that in the regional OSRP?</i>	(a) <u>Oil spill response planning</u> . The oil spill response plan (OSRP) required by either paragraph (1) or (2) below: (1) If you propose activities in the Eastern Planning Area of the GOM, a <i>site-specific</i> OSRP prepared according to the requirements of 30 CFR 254.21 through 254.29 that specifically addresses the activities proposed in your EP or DOCD, or a regional OSRP prepared according to the guidance of NTL No. 200X-GXX (to be developed consistent with final regulations). If your lease(s) is subject to the special oil spill response lease stipulation,	(i) <i>Why is it necessary to repeat the list of companies covered under the OSRP information in each DOCD?</i>  (iii) <i>Why does this information need to be repeated in each DOCD?</i>  (v)(1) <i>What is the purpose of providing a comparison between the site-specific worst case discharge and the worst case that in the regional OSRP?</i>



Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments				
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX				
	for both equipment and personnel; (iv) The calculated volume of your worst case discharge scenario (see 30 CFR 254.26(a)), and a comparison of the appropriate worst case discharge scenario in your approved regional OSRP with the worst case discharge scenario that could result from your proposed development and production activities; and (v) A description of the worst case oil spill scenario that could result from your proposed development and production activities (see 30 CFR 254.26(b), (c), (d), and (e)).		<div>incorporate in your site-specific OSRP a detailed description of the equipment you will procure to satisfy the requirements of the stipulation and a timetable for its onsite deployment or availability. (2) If you propose activities in the Central or Western Planning Areas of the GOM, a <b><i>reference to your approved regional OSRP</i></b> (see 30 CFR 254.3) to include the following: (i) <b><u>Regional OSRP information</u></b>. The company or companies covered, the OSRP approval date or your worst-case certification approval date if your OSRP is pending approval, and a statement that the activities proposed in your EP or DOCD will be covered by your regional OSRP; (ii) <b><u>Spill response sites</u></b>. Using the format below, provide information on the location of your primary spill response equipment and the location of your pre-planned staging area(s) that would be used should you have an oil spill resulting from the activities proposed in your EP or DOCD;</div> <table><tr><th>Primary Response Equipment Location</th><th>Preplanned Staging Location(s)</th></tr><tr><td>Houma, LA</td><td>Fourchon, LA Grand Isle, LA</td></tr></table> <div> (iii) <b><u>OSRO information</u></b>. The name(s) of your oil spill removal organization(s) for both equipment and personnel. (iv) <b><u>Worst-case scenario determination</u></b>. A determination of whether the worst-case scenario from your approved regional OSRP is superseded by the worst-case scenario from the activities proposed in your EP or DOCD. In making this determination: (1) using the format below compare the appropriate worst-case scenario from your approved regional OSRP to the worst-case scenario from the proposed activities in your EP or DOCD, and (2) consider the proximity to beaches, water fowl, other marine and shoreline resources, and areas of special economic or environmental importance as required in your OSRP.</div>	Primary Response Equipment Location	Preplanned Staging Location(s)	Houma, LA	Fourchon, LA Grand Isle, LA	<i>In lieu of submitting all of the information in this section, the statements that you are required to make should be all that is required.</i>
Primary Response Equipment Location	Preplanned Staging Location(s)							
Houma, LA	Fourchon, LA Grand Isle, LA							

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments																																	
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX																																	
			<div>For EP’s, because estimated blowout flow rates are speculative, you should not ordinarily determine that the worst-case scenario from the proposed activities in your EP supersedes the appropriate worst-case scenario from your approved regional OSRP as long as your contracted OSRO capabilities are sufficient to respond to the estimated worst-case scenario volume.</div> <table><tr><th>Category</th><th>Regional OSRP</th><th>EP or DOCD</th></tr><tr><td>Type of Worst-case Scenario<sup>1</sup></td><td>Oil production platform</td><td>Oil production platform</td></tr><tr><td>Facility Location (area/block)</td><td>EI 25</td><td>MC 900</td></tr><tr><td>Facility Designation<sup>2</sup></td><td>Platform JA</td><td>Rio Loco Project</td></tr><tr><td>Distance to Nearest Shoreline</td><td>45 miles</td><td>160 miles</td></tr><tr><td>Worst-case Scenario Volume<sup>3</sup></td><td>325 bbls</td><td>200 bbls</td></tr><tr><td>Storage tanks (maximum capacity)</td><td>40 bbls</td><td>15 bbls</td></tr><tr><td>Flowlines (maximum capacity)</td><td>1,600 bbls</td><td>400 bbls</td></tr><tr><td>Lease term pipelines (calculated)</td><td>2,700 bbls</td><td>600 bbls</td></tr><tr><td>Uncontrolled blowout (daily volume)</td><td>4,665 bbls</td><td>1,215 bbls</td></tr><tr><td>Total Worst-case Scenario Volume</td><td></td><td></td></tr></table>	Category	Regional OSRP	EP or DOCD	Type of Worst-case Scenario <sup>1</sup>	Oil production platform	Oil production platform	Facility Location (area/block)	EI 25	MC 900	Facility Designation <sup>2</sup>	Platform JA	Rio Loco Project	Distance to Nearest Shoreline	45 miles	160 miles	Worst-case Scenario Volume <sup>3</sup>	325 bbls	200 bbls	Storage tanks (maximum capacity)	40 bbls	15 bbls	Flowlines (maximum capacity)	1,600 bbls	400 bbls	Lease term pipelines (calculated)	2,700 bbls	600 bbls	Uncontrolled blowout (daily volume)	4,665 bbls	1,215 bbls	Total Worst-case Scenario Volume			
Category	Regional OSRP	EP or DOCD																																			
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Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX			OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002			NTL 200X-GXX
			Type of Oil (crude oil, condensate)	Crude oil	Crude oil	
			API Gravity(s) <sup>4</sup>	37°	37°	
			<p><sup>1</sup> Types of worst-case discharge scenarios include (1) oil production platform, including caissons, subsea completions or manifolds, (2) exploratory or development drilling operations including subsea completion or manifold, and mobile drilling rig, and (3) pipeline facility (see 30 CFR 254.47(a),(b), and (c)).</p> <p><sup>2</sup> E.g., Well No. 2, Platform JA, Pipeline Segment No. 6373.</p> <p><sup>3</sup> Take your regional OSRP worst-case scenario volume from the appropriate section of your regional OSRP. For EP's, determine the worst-case scenario volume using the criteria at 30 CFR 254.47(b). For DOCD's, determine the worst-case scenario volume using the criteria at 30 CFR 254.47(a),(b), and (c), as appropriate.</p> <p><sup>4</sup> Provide API gravity of each oil given under "Type of Oil" above. Estimate for EP's.</p> <p>If your proposed activities are within ten miles of the coastline, reference the "near-shore" worst-case scenario provided in your approved regional OSRP. If your proposed activities are more than ten miles from the coastline, reference the "far-shore" worst-case scenario provided in your approved regional OSRP.</p> <p>If you determine that the worst-case scenario from the activities proposed in your EP or DOCD supersedes the worst-case scenario from your approved regional OSRP, modify your approved regional OSRP to incorporate this new worst-case scenario and provide the following statement: [Name of company] submitted the new worst-case scenario to the GOMR on [date] for inclusion in our regional OSRP.</p> <p>The EP or DOCD will not be approved until the Regional Supervisor has received and approved your regional OSRP worst-case scenario modification.</p>			

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
			<p>If you determine that the worst-case scenario from the activities proposed in your EP or DOCD does not supersede the worst-case scenario in your approved regional OSRP, provide the following statement: Since [name of company] has the capability to respond to the appropriate worst-case spill scenario included in its regional OSRP approved on [date], and since the worst-case scenario determined for our [EP] [DOCD] does not replace the appropriate worst-case scenario in our regional OSRP, I hereby certify that [name of company] has the capability to respond, to the maximum extent practicable, to a worst-case discharge, or a substantial threat of such a discharge, resulting from the activities proposed in our [EP] [DOCD].</p>	
			<p>(b) <u>Oil spill response discussion</u>. Discuss your response to an oil spill resulting from the activities proposed in your EP or DOCD. Include all the information described in 30 CFR 254.26(b), (c), (d), and (e) that is applicable. As the source of the spill, use whichever of the following gives the greater volume of oil: (1) The blow-out scenario you describe in section (k) under <u>General Information (250.213 and 250.243)</u> above, or (2) The volume of the largest oil/fuel storage tank on the drilling rig or facility. Provide this oil spill response discussion only when you propose: 1. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank. 2. To install a surface facility located in water depths greater than 400 meters, or to install a surface facility in any water depth to support subsea development in water depths greater than 400 meters. 3. Initial DOCD's and supplemental DOCD's with new multiwell structures for which the State of Louisiana is an affected State (15 CFR 930.58(a)(2)). 4. Initial EP's and DOCD's and supplemental DOCD's with new multiwell structures for which the State of Texas is an affected State (15 CFR 930.58(a)(2)).</p>	

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
<b>250(b)</b>	<u>Modeling report</u> . In developing your DPP or DOCD, if you model a potential oil or hazardous substance spill, a modeling report, or the modeling results, or a reference to such report or results if you have already submitted it to the Regional Supervisor.		<u>Modeling report</u> . Provide two copies of the modeling report as described NTL No. 200X-GXX (to be developed consistent with final regulations) or a reference to such a report if it has already been provided to the Regional Supervisor. Include the oceanographic data used in the modeling in the report. Provide this modeling report only when you propose: 1. Activities in the Eastern Planning Area of the GOM. 2. Deepwater development operations. (You may omit this table if you propose operations in an exempted area. Refer to the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environ/strategy/strategy.html">http://www.gomr.mms.gov/homepg/regulate/environ/strategy/strategy.html</a> for a current listing of exempted areas.)	<i>OOC requests to review and comment on the proposed NTL prior to it being issued by MMS.</i>
<b>250.251</b>	<b>If I propose activities in the Alaska OCS Region, what planning information must accompany the DPP?</b> If you propose development and production activities in the Alaska OCS Region, the following planning information must accompany your DPP:			
<b>251(a)</b>	<u>Emergency plans</u> . A description of your emergency plans to respond to a blowout, loss or disablement of a drilling unit, and loss of or damage to support craft; and			
<b>251(b)</b>	<u>Critical operations and curtailment procedures</u> . Critical operations and curtailment procedures for your development and production activities. The procedures must identify ice conditions, weather, and other constraints under which the development and production activities will either be curtailed or not proceed.			
<b>250.252</b>	<b>What environmental monitoring information must accompany the DPP or DOCD?</b> The following environmental monitoring information, as applicable, must accompany your DPP or DOCD:			
<b>252(a)</b>	<u>Monitoring systems</u> . A description of any existing and planned monitoring systems that are measuring or will measure environmental conditions and/or will provide project-specific data or information on the impacts of your development and production activities.	<i>We assume that this does not include wind, temperature, etc that is commonly monitored on an informal basis.</i>	<u>Monitoring systems</u> . Provide a description of any existing and planned monitoring systems that are measuring, or will measure, environmental conditions and/or will provide project-specific data or information on the impacts of your proposed activities.	
<b>252(b)</b>	<u>Flower Garden Banks National Marine Sanctuary</u> . If you	<i>For clarity and completeness, we recommend that</i>	<u>Flower Garden Banks National Marine Sanctuary</u> . If	<i>We recommend that this be moved to the</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	propose to conduct development and production activities within the 4-mile protective zone of the Flower Garden Banks National Marine Sanctuary, a description of your provisions for monitoring the impacts of an oil spill.	<i>this language be moved to 219 (c).</i>  <i>Please modify to “a description of your provisions for monitoring the impacts of an oil spill on the environmentally sensitive resources at the Flower Garden Banks National Marine Sanctuary.”</i>	you propose to conduct activities within the Protective Zones of the Flower Garden Banks and Stetson Bank, discuss your provisions for monitoring the impacts of an oil spill on the environmentally sensitive resources at the Flower Garden Banks National Marine Sanctuary	<i>oil spill section.</i>
<b>250.253</b>	<b>What lease stipulations information must accompany the DPP or DOCD?</b> A description of the measures you took, or will take, to satisfy the conditions of lease stipulations related to your proposed development and production activities must accompany your DPP or DOCD.		Provide a brief description of the measures you took, or will take, to satisfy the conditions of any lease stipulations related to your proposed activities.	
<b>250.254</b>	<b>What mitigation measures information must accompany the DPP or DOCD?</b> A description of any measures you will use, beyond those required by the regulations in this part, to minimize or mitigate environmental impacts from your proposed development and production activities must accompany your DPP or DOCD.	<i>The language used seems to indicate that such measures will be utilized. We suggest the following language: “If you propose to use any measures beyond those required by the regulations in this part to minimize or mitigate environmental impacts from your proposed exploration activities, provide a description of the measures you will use in your DPP or DOCD.”</i>	<u>Additional measures.</u> Provide a discussion of the safety, pollution prevention, and early spill detection measures that you will take beyond those required by 30 CFR 250 when you propose: 1. Activities in the Eastern Planning Area of the GOM. 2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank. 3. To install a surface facility located in water depths greater than 400 meters, or you propose to install a surface facility in any water depth to support subsea development in water depths greater than 400 meters. 4. Initial and supplemental DOCD’s for which the State of Alabama is an affected State (15 CFR 930.58(a)(2)). 5. Initial DOCD’s and supplemental DOCD’s with new multiwell structures for which the State of Louisiana is an affected State (15 CFR 930.58(a)(2)). 6. Initial EP’s and DOCD’s and supplemental DOCD’s with new multiwell structures for which the State of Texas is an affected State (15 CFR 930.58(a)(2)).	<i>We note that the regulation only talks about environmental mitigation measures. What is the basis for requesting safety measures? Also, the language utilized seems to imply that such measures will be used. We suggest the following wording: “If you propose to use any pollution prevention or early spill detection measures beyond those required by 30 CFR 250, provide a discussion of such measure when you propose.....”</i>
<b>250.255</b>	<b>What decommissioning information must accompany the DPP or DOCD?</b> A brief description of how you intend to decommission your wells, platforms, pipelines, and other facilities, and clear your site(s) must accompany your DPP or DOCD.	<i>Why is this needed? Subpart Q contains the requirements for decommissioning.</i>  <i>The Western and Central GOM should be specifically excluded.</i>		
<b>250.256</b>	<b>What related facilities and operations information must accompany the DPP or DOCD?</b>	<i>How is “directly related” defined.</i>		

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<b>OOC Comments</b>	<b>Proposed NTL 200X-GXX</b>	<b>OOC Comments</b>
<b>Section</b>	<b>Text</b>	<b>Proposed Regulation</b>	<b>Draft May 17, 2002</b>	<b>NTL 200X-GXX</b>
	The following information regarding facilities and operations directly related to your proposed development and production activities must accompany your DPP or DOCD:			
<b>256(a)</b>	<p>(a) <u>OCS facilities and operations</u>. A description and location of any of the following that directly relate to your proposed development and production activities:</p> <p>(1) Drilling units;</p> <p>(2) Production platforms;</p> <p>(3) Right-of-way pipelines (including those that transport chemical products and produced water); and</p> <p>(4) Other facilities and operations located on the OCS (regardless of ownership).</p>	<p>(1) <i>Drilling units are typically not directly related to a specific project; therefore, why is this requested?</i></p> <p>(3) <i>In many cases at the time the DOCD is filed, the operator may not know which specific ROW pipeline will be utilized. If the operator can identify the pipeline and the pipeline is operated by another company, then reference to a pipeline application or general information should be sufficient since the operator may not have the other specific information.</i></p> <p>(4) <i>Please explain what is meant by other facilities and operations.</i></p>	<p><u>Related OCS facilities and operations</u>. For DOCD's only, provide a description and location of any proposed or existing drilling units, production platforms, pipeline accessory platforms, host facilities, pipelines and associated umbicals (including those that transport chemical products and produced water), or other facilities and operations located on the OCS (regardless of ownership) that directly relate to your proposed development or production activities. This description should include the size, length, proposed routes, product(s) being transported, maximum flow rates, and the shut-in time of any proposed pipelines.</p> <p>Provide this information only for:</p> <ol style="list-style-type: none"> <li>1. All initial and supplemental DOCD's.</li> <li>2. All revised DOCD's, but only for those facilities and operations that will change as the result of the activities proposed in the revised DOCD.</li> </ol>	<p><i>In many cases, the production operator is not the operator of the ROW pipelines connected to the facility. In that case, the production operator may not have the specific information for the pipeline. The operator should be allowed to reference a pipeline application if it has been filed.</i></p> <p><i>Also, in some cases, the production operator may not know at the time the DOCD is filed details, including the routing of the pipeline. A statement saying that the production operator is in discussions with one or more pipeline companies concerning a pipeline for exporting the production and that a contract for the pipeline has not been entered into should be accepted.</i></p>
<b>256(b)</b>	<p><u>Transportation system</u>. A discussion of the transportation system that you will use to transport your production to shore, including:</p> <p>(1) Routes of any new pipelines;</p> <p>(2) Information concerning barges and shuttle tankers (including the storage capacity of the transport vessel(s) and the number of transfers that will take place per year);</p> <p>(3) Information concerning any intermediate storage or processing facilities;</p> <p>(4) An estimate of the quantities of oil, gas, and/or sulphur to be transported from your production facilities; and</p> <p>(5) A description and location of the primary onshore terminal.</p>		<p><u>Transportation system</u>. For DOCD's only, provide a discussion of the transportation system that will be used to transport your production to shore including the routes of any new pipelines and a description and location of the primary onshore terminal (including any refineries gas plants, and compressor stations that will be built or undergo major expansion as the result of the activities proposed in your DOCD).</p>	<p><i>In many instances, a pipeline will be constructed from the proposed facility to an existing facility or a subsea tie-in to a pipeline and beyond that point, the production operator may not know the ultimate disposition of the hydrocarbons or the hydrocarbons may have the ability to travel a number of different paths to shore. The key in this requirement should be activities that are directly conducted due to the proposed activities and not activities that are done as speculative projects by a third party.</i></p>
			<p><u>Produced liquid hydrocarbons transportation vessels</u>. If liquid hydrocarbons will be transported by means other than a pipeline, use the format below to provide information on the alternative method.</p>	<p><i>What do you mean by transfer method? Besides pumping, what are other methods?</i></p> <p><i>By average volume to be loaded, do you mean the parcel size? If not, please</i></p>

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX					OOC Comments																				
Section	Text	Proposed Regulation	Draft May 17, 2002					NTL 200X-GXX																				
			<div>Transp ort Metho d</div>	<div>Transf er Metho d</div>	<div>Vessel Capaci ty</div>	<div>Averag e Volum e to be Loade d</div>	<div>No. of Transf ers (Yearl y Averag e)</div>	clarify.																				
			Shuttle tanker	Pump	50,000 bbls	40,000 bbls	52																					
250.257	What information on the support vessels, offshore vehicles, and aircraft you will use must accompany the DPP or DOCD? The following information on the support vessels, offshore vehicles, and aircraft you will use must accompany your DPP or DOCD:																											
257(a)	<u>General.</u> A description of the crew boats, supply boats, anchor handling vessels, tug boats, barges, ice management vessels, other vessels, offshore vehicles, and aircraft you will use to support your development and production activities. The description of vessels and offshore vehicles must estimate the storage capacity of their fuel tanks and the frequency of their visits to the facilities you will use to conduct your proposed development and production activities.		<u>General.</u> Using the format below, provide information regarding the tug boats, anchor-handling vessels, construction barges, lay barges, supply boats, crew boats, and aircraft you will use to support your proposed activities. <table><tr><th>Type</th><th>Fuel Tank Storage Capacity</th><th>Maximum No. in Area at Any Time</th><th>Trip Frequency or Duration</th></tr><tr><td>Tug boats</td><td>3000 bbls</td><td>2</td><td>Two weeks</td></tr><tr><td>Supply boats</td><td>500 bbls</td><td>2</td><td>Three times weekly</td></tr><tr><td>Service boats</td><td>500 bbls</td><td>1</td><td>Daily</td></tr><tr><td>Crew boats</td><td>500 bbls</td><td>1</td><td>Weekly</td></tr></table> <div>Provide this table only when you propose: 1. Activities in the Eastern Planning Area of the GOM. 2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank. 3. To install a surface facility located in water depths greater than 400 meters, or you propose to install a</div>					Type	Fuel Tank Storage Capacity	Maximum No. in Area at Any Time	Trip Frequency or Duration	Tug boats	3000 bbls	2	Two weeks	Supply boats	500 bbls	2	Three times weekly	Service boats	500 bbls	1	Daily	Crew boats	500 bbls	1	Weekly	<i>In most cases, operators do not actually contract support vessels until after the drilling rig is contracted which may be well past when the DOCD is filed. At best, you know the typical class of vessel to be used. Therefore, the information provided will be for a class of vessel, not a specific vessel in many cases.</i>
Type	Fuel Tank Storage Capacity	Maximum No. in Area at Any Time	Trip Frequency or Duration																									
Tug boats	3000 bbls	2	Two weeks																									
Supply boats	500 bbls	2	Three times weekly																									
Service boats	500 bbls	1	Daily																									
Crew boats	500 bbls	1	Weekly																									



Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOO Comments	Proposed NTL 200X-GXX	OOO Comments								
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX								
			surface facility in any water depth to support subsea development in water depths greater than 400 meters.									
			<p><u>Diesel oil supply vessels</u>. Using the format below, provide additional information on the vessels you will use to supply diesel oil. Make sure you include any vessels that will transfer diesel oil you will use for purposes other than fuel (e.g., base for corrosion control fluids).</p> <table><tr><th>Size of Fuel Supply Vessel</th><th>Capacity of Fuel Supply Vessel</th><th>Frequency of Fuel Transfers</th><th>Route Fuel Supply Vessel Will Take</th></tr><tr><td>180 feet</td><td>1,500 bbls</td><td>Weekly</td><td>From the shorebase in Fourchon, LA, to XYZ Field, then to WC Block 134</td></tr></table> <p>Provide this table only when you propose:</p> <p>1. Activities in the Eastern Planning Area of the GOM.</p> <p>2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank.</p> <p>3. To install a surface facility located in water depths greater than 400 meters, or to install a surface facility in any water depth to support subsea development in water depths greater than 400 meters.</p> <p>4. Initial and supplemental DOCD’s for which the State of Alabama is an affected State (15 CFR 930.58(a)(2)).</p> <p>5. Initial DOCD’s and supplemental DOCD’s with new multiwell structures for which the State of Louisiana is an affected State (15 CFR 930.58(a)(2)).</p>	Size of Fuel Supply Vessel	Capacity of Fuel Supply Vessel	Frequency of Fuel Transfers	Route Fuel Supply Vessel Will Take	180 feet	1,500 bbls	Weekly	From the shorebase in Fourchon, LA, to XYZ Field, then to WC Block 134	<p><i>In most cases, diesel for fuel and for non-fuel uses will not be supplied differently. Therefore it is confusing to have this language in the NTL. Similar to above, at the time the EP is filed, in most instances the only thing known is the typical class of vessel to be used.</i></p>
Size of Fuel Supply Vessel	Capacity of Fuel Supply Vessel	Frequency of Fuel Transfers	Route Fuel Supply Vessel Will Take									
180 feet	1,500 bbls	Weekly	From the shorebase in Fourchon, LA, to XYZ Field, then to WC Block 134									
257(b)	<u>Air emissions</u> . A table showing the source, composition, frequency, and duration of the air emissions likely to be	<i>For clarity and completeness, we recommend that this be moved to the air emission section in 250.218.</i>	“See Air Emission Section”									

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOO Comments	Proposed NTL 200X-GXX					OOO Comments
Section	Text	Proposed Regulation	Draft May 17, 2002					NTL 200X-GXX
	generated by the support vessels, offshore vehicles, and aircraft you will use that will operate within 25 miles of the facilities you will use to conduct your proposed development and production activities.	<i>Also, please clarify what is meant by an offshore vehicle.</i>						
257(c)	<u>Drilling fluids and chemical products transportation.</u> A description of the transportation method and quantities of drilling fluids and chemical products (see § 250.243(b) and (d)) you will transport from the onshore support facilities you will use to the facilities you will use to conduct your proposed development and production activities.	<i>This requirement should be specifically eliminated for the Western and Central GOM.</i>	<u>Drilling fluids transportation.</u> If you propose activities in the Eastern Planning Area of the GOM, use the format below to provide information on the projected drilling fluids you will transport from the onshore support facilities you will use to your drilling unit or facilities.					
			Type of Material	Quantity Being Transported	Transportation Method			
			Barite	10-50 lb bags	On flats on supply boat			
			Synthetic-base drilling fluid component	55 gals	In surface cutting boxes on XYZ Mud Company’s supply boat			
257(d)	<u>Solid and liquid wastes transportation.</u> A description of the transportation method; reason for transportation; and a brief description of the composition, quantities, and destination(s) of solid and liquid wastes (see § 250.248(a)) you will transport from the facilities you will use to conduct your proposed development and production activities.	<i>What is the purpose of giving the reason for transportation—these are already classified as wastes?</i>  <i>Is the destination being requested the shore base or the “final” disposal, reuse or recycling location? We suggest that it be considered the shore base. In many instances we do not know where the “final” destination is, particularly for trash that is placed in a common bin at the shore base.</i>  <i>Also we note that the composition and quantities are estimates only and based on typical estimates from similar drilling operations. Also, the destination of the waste is based on pre-planning only and may change during the actual activities conducted under the DPP or DOCD.</i>	<u>Solid and liquid wastes transportation.</u> If you plan to transport any of your solid and liquid wastes from the site of your proposed activities to other offshore structures or to temporary or permanent onshore facilities for storage or disposal, use the format below to provide the following information.					<i>Please see comments for the proposed regulation.</i>  <i>3. Does this information have to be provided for all of the waste streams or only those affected by the new or unusual technology that changes the nature or magnitude of the waste stream?</i>  <i>7. If waste is being disposed of in Louisiana, does this make it an affected state for coastal zone consistency review? Does the disposal site have to be in the coastal zone of Louisiana?</i>  <i>Please also note that at the time a DOCD is filed, the disposal sites may not have been selected or may change from time to time during the exploratory period.</i>
			Type of Waste Approx. Composition	Total Volume	Name/Location	Rate	Transport Method	
			Spent oil-based drilling fluids	1,000 bbls	XYZ Company, St. Mary, LA	200 bbls/day	Barge tanks	

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX					OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002					NTL 200X-GXX
			Chemical product wastes	100 bbls	Mars Facility Morgan City	2 bbls/day 4 bbls/day	Barrels on crew boat Barrels on crew boat	
			Trash and debris	1,000 ft <sup>3</sup>	Morgan City municipal landfill		Storage bins on crew boat	
			<p>Provide this table only when you propose:</p> <p>1. Activities in the Eastern Planning Area of the GOM.</p> <p>2. Activities within the Protective Zones of the Flower Garden Banks and Stetson Bank.</p> <p>3. To use new or unusual technology that changes the nature or magnitude of the waste stream on the facility.</p> <p>4. Deepwater development operations. (You may omit this table if you propose operations in an exempted area. Refer to the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environment/strategy/strategy.html">http://www.gomr.mms.gov/homepg/regulate/environment/strategy/strategy.html</a> for a current listing of exempted areas.)</p> <p>5. To use a sulphur recovery unit on the facility.</p> <p>6. Initial and supplemental DOCD's for which the State of Alabama is an affected State (15 CFR 930.58(a)(2)).</p> <p>7. Initial DOCD or supplemental DOCD with new multiwell structure that includes disposal in Louisiana coastal waters or onshore Louisiana (15 CFR 930.58(a)(2)).</p> <p>8. Initial EP's and DOCD's and supplemental DOCD's with new multiwell structures for which the State of Texas is an affected State (15 CFR 930.58(a)(2)).</p>					
257(e)	Vicinity map. A map showing the location of your	Add the word "primary" before "routes". In many	Vicinity map. Provide a map at an appropriate scale					Add "primary" before "routes". In many

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments									
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX									
	proposed development and production activities relative to the shoreline. The map must depict the route(s) the support vessels and aircraft will use when traveling between the onshore support facilities you will use and the facilities you will use to conduct your proposed development and production activities.	<i>cases, an alternate route may be taken depending on environmental conditions, visiting multiple platforms, etc.</i>	showing the location of your proposed activities relative to the shoreline and that depicts the route(s) the support vessels and aircraft will use when traveling between the onshore support facilities you will use and your drilling unit or proposed facilities.	<i>cases, an alternate route may be taken depending on environmental conditions, visiting multiple platforms, etc.</i>									
250.258	<b>What information on the onshore support facilities you will use must accompany the DPP or DOCD?</b> The following information on the onshore support facilities you will use must accompany your DPP or DOCD:												
258(a)	<u>General</u> . A description of the onshore facilities you will use to provide supply and service support for your proposed development and production activities (e.g., service bases, pipeline terminals, and mud company docks). (1) Indicate whether the onshore support facilities are existing, to be constructed, or to be expanded; and (2) For DPPs only, provide a timetable for acquiring lands (including rights-of-way and easements) and constructing or expanding any of the onshore support facilities.	<i>Pipeline terminals should be eliminated from the example since they typically do not provide supply and service support.</i>	<u>General</u> . Using the format below, provide a listing of the onshore facilities you will use to provide supply and service support for your proposed activities: <table><tr><th>Name</th><th>Location</th><th>Existing/New/Modified</th></tr><tr><td>XYZ Mud Company</td><td>Port Fourchon, LA</td><td>Existing</td></tr><tr><td>Fourchon Service Base</td><td>Port Fourchon, LA</td><td>Expansion</td></tr></table> <u>(b) Support base construction or expansion</u> . If you plan to construct a new onshore support base or make major additions to an existing one to accommodate the activities proposed in your EP or DOCD, provide a description of the necessary work.  <u>(c) Support base construction or expansion timetable</u> . If you plan to acquire land to construct or expand the onshore support base you will use, provide a timetable for land acquisition (including rights-of-way and easements), and construction or expansion. 1. Activities in the Eastern Planning Area of the GOM. 2. Deepwater development operations. (You may omit this table if you propose operations in an exempted area. Refer to the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/regulate/environ">http://www.gomr.mms.gov/homepg/regulate/environ</a>	Name	Location	Existing/New/Modified	XYZ Mud Company	Port Fourchon, LA	Existing	Fourchon Service Base	Port Fourchon, LA	Expansion	<i>(b) What is considered a major addition to an existing onshore support base? For onshore support bases that handle multiple clients, if they expand their facility to either attract additional clients or to better serve their current clients, and the expansion is not for a specific project, does the expansion have to be covered in an DOCD? In many cases, we may be unaware that such a support base is planning a modification.</i>
Name	Location	Existing/New/Modified											
XYZ Mud Company	Port Fourchon, LA	Existing											
Fourchon Service Base	Port Fourchon, LA	Expansion											

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOO Comments	Proposed NTL 200X-GXX				OOO Comments
Section	Text	Proposed Regulation	Draft May 17, 2002				NTL 200X-GXX
			<a href="#">/strategy/strategy.html</a> for a current listing of exempted areas.)				
258(b)	<u>Air emissions.</u> A description of the source, composition, frequency, and duration of the air emissions (attributable to your proposed development and production activities) likely to be generated by the onshore support facilities you will use.	<i>DOCDs in areas westward of 87°30'W. longitude in the Gulf of Mexico should be specifically excluded from this requirement.</i>	“Not Required”				
258(c)	<u>Unusual solid and liquid wastes.</u> A description of the quantity, composition, and method of disposal of any unusual solid and liquid wastes (attributable to your proposed development and production activities) likely to be generated by the onshore support facilities you will use.	<i>DOCDs in the GOM should be specifically excluded from this requirement.</i>	“Not Required”				
258(d)	<u>Waste disposal.</u> A description of the onshore facilities you will use to store and dispose of solid and liquid wastes generated by your proposed development and production activities (see § 250.248) and the types and quantities of such wastes.	<i>We suggest for clarity and completeness that this be included with 250.224(d). Much of this information appears to be duplicative of that required in 250.224(d)</i>	<u>Waste Disposal.</u> Using the format below, provide information on the onshore facilities you will use to store and dispose of any solid and liquid wastes generated by your proposed activities.				<i>We suggest that for clarity and completeness that this information be included with the transportation of waste information.</i>
			<b>Name/Location of Facility</b>	<b>Type of Waste</b>	<b>Quantity</b>	<b>Disposal Method</b>	
			PPM Theodore, AL	Hazardous solid: Oil-contaminated produced sand	50 lbs	Land farming	
			Smith’s Incinerator Tampa, FL	Hazardous liquid: Waste oil	50 bbls	Incinerator	
			U.S. Liquids Bourg, LA	Non-hazardous solid: Oil-based drilling muds	200 bbls	Stationary treatment	
			New Park Transfer Station Venice, LA	Non-hazardous liquid: Workover fluids	150 bbls	Temporary storage	

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
<b>250.259</b>	<b>What sulphur operations information must accompany the DPP or DOCD?</b> If you are proposing to conduct sulphur development and production activities, the following information must accompany your DPP or DOCD:			
<b>259(a)</b>	<b>Bleedwater.</b> A discussion of the bleedwater that will be generated by your proposed sulphur activities, including the measures you will take to mitigate the potential toxic or thermal impacts on the environment caused by the discharge of bleedwater.		<b>Bleedwater.</b> For DOCD's only, a brief discussion of the bleedwater that will be generated by your proposed sulphur operations including the measures you will take to mitigate the potential toxic or thermal impacts on the environment caused by the discharge of bleedwater.	
<b>259(b)</b>	<b>Subsidence.</b> An estimate of the degree of subsidence expected at various stages of your sulphur development and production activities and a description of the measures you will take to mitigate the effects of subsidence on existing or potential oil and gas production, production platforms, and production facilities, and to protect the environment.		<b>Subsidence.</b> For DOCD's only, an estimate of the degree of subsidence you expect at various stages of development and production, and a brief description of the measures you will take to mitigate the effects of subsidence on existing or potential oil and gas production, production platforms, and production facilities and to protect the environment.	
<b>250.260</b>	<b>What Coastal Zone Management Act (CZMA) certification must accompany the DPP or DOCD?</b> Your DPP or DOCD must be accompanied by a copy of your consistency certification under § 307(c)(3)(B) of the CZMA (16 U.S.C.1456(c)(3)(B)) and 15 CFR 930.76(d), that states that each of the proposed development and production activities described in detail in this DPP or DOCD comply with (name of State(s)) approved coastal management programs(s) and will be conducted in a manner that is consistent with such program(s).		<b>Consistency certification.</b> Provide a coastal zone consistency certification according to 15 CFR 930.76(c) and (d) for each affected State by using the format in Appendix B. The maps on the MMS Internet website at <a href="http://www.gomr.mms.gov/homepg/offshore/pkns_permits/czmmaps.html">http://www.gomr.mms.gov/homepg/offshore/pkns_permits/czmmaps.html</a> indicate the areas affecting each State in the GOM.	
			<b>Other information.</b> Provide information required by 15 CFR 930.76(b). This includes: (1) A description of the coastal effects and information sufficient to support your consistency certification. (2) Information specifically identified in the State's management program (as originally approved or amended) as necessary data and information. (3) An evaluation that includes a set of findings relating the coastal effects of your proposed activities and their associated facilities to the relevant enforceable policies of the State's management program.	

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
			Provide the information in paragraphs (a) and (b) above for all: 1. Initial EP's and DOCD's 2. Supplemental EP's and DOCD's for which Florida and Alabama are affected States. 3. Supplemental DOCD's proposing new multi-well structures for which Louisiana, Mississippi, and Texas are affected States. 4. Revised EP's and DOCD's for which the GOMR determines that the revisions could result in a significant change in the impacts previously identified and evaluated (refer to 30 CFR 250.285). Refer to the above MMS Internet website in paragraph (a) above for additional information and other special instructions.	
<b>250.261</b>	<b>What environmental impact analysis (EIA) information must accompany the DPP or DOCD?</b> The following EIA information must accompany your DPP or DOCD:			
<b>261(a)</b>	<u>General requirements.</u> Your EIA must: (1) Assess the potential environmental impacts of your proposed development and production activities; (2) Be project specific; and (3) Be as detailed as necessary to assist the Regional Supervisor in complying with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 <u>et seq.</u> ) and other relevant Federal laws.	<i>Please explain how the requirements listed in 227(b) assist the Regional Supervisor in complying with NEPA and other relevant Federal laws.</i>		<i>For revised or supplemental DPP or DOCDs, if the environmental impacts have been previously assessed, then a statement should be provided that says that no new impacts from those previously assessed are expected. The operator should not be required to provide a complete EIA if no new impacts are expected.</i>
<b>261(b)</b>	<u>Resources, conditions, and activities.</u> Your EIA must describe those resources, conditions, and activities listed below that could be affected by your proposed development and production activities or that could affect the construction and operation of facilities or structures or the activities proposed in your DPP or DOCD. (1) Meteorology, oceanography, geology, and geological and/or manmade hazards; (2) Air and water quality; (3) Benthic communities, marine mammals, sea turtles, coastal and marine birds, fish and shellfish, and plant life; (4) Threatened or endangered species and their critical habitat; (5) Sensitive biological resources or habitats such as essential fish habitat, refuges, preserves, special	<i>(4) Please provide a definition of "critical habitat". (7) The GOM should be specifically excluded from this requirement.</i>	<u>Impact-producing factors (IPFs).</u> Using the matrix in Appendix C, identify the IPFs that can cause impacts to the listed environmental resources. Do this by placing an "x" in the space under each IPF category associated with your proposed activities that may impact a particular environmental resource. If, in your judgment, an IPF would not impact a particular environmental resource, leave the space blank.	<i>Do both beneficial and adverse impacts have to be identified?</i>  <i>Determining if an IPF impacts or has no impact on an a particular environmental resource is very subjective. What happens if MMS does not agree with assessment?</i>  <i>For most DOCDs, no site specific impact research studies are initiated with the exception of shallow hazards, chemosynthetics, hard bottoms and archeological studies. Generalized oil spill trajectories are used. Therefore, it is impossible to not tier off of the generalized</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	management areas identified in coastal management programs, sanctuaries, rookeries, and calving grounds; (6) Archaeological resources; (7) Socioeconomic resources (including the approximate number, timing, and duration of employment of persons engaged in onshore support and construction activities), population (including the approximate number of people and families added to local onshore areas), existing offshore and onshore infrastructure (including major sources of supplies, services, energy, and water), types of contractors or vendors that may place a demand on local goods and services, land use, subsistence resources and harvest practices, recreation, recreational and commercial fishing (including seasons, location, and type), minority and lower income groups, and coastal zone management programs; (8) Coastal and marine uses such as military activities, shipping, and mineral exploration or development; and (9) Other resources, conditions, and activities identified by the Regional Supervisor.			<i>impacts described in the lease sale environmental impact statements, grid EAs and other NEPA documents. This requirement appears to be exactly the opposite of the principle of “tiering” in NEPA. We do not believe that it is possible to comply with this requirement as stated.</i>  <i>We do not understand why “Wastes sent to shore for treatment or disposal” was included as an IPF. Please either explain or remove from the table.</i>
<b>261(c)</b>	<u>Environmental impacts.</u> Your EIA must: (1) Analyze the potential direct and indirect impacts (including those from accidents and cooling water intake structures) that your proposed development and production activities will have on the identified resources, conditions, and activities; (2) Analyze any potential cumulative impacts from other activities to those identified resources, conditions, and activities potentially impacted by your proposed development and production activities; (3) Describe the type, severity, and duration of these potential impacts and their biological, physical, and other consequences and implications; (4) Describe potential measures to minimize or mitigate these potential impacts; (5) Describe any alternatives to your proposed development and production activities that you considered while developing your DPP or DOCD and compare the potential environmental impacts; and (6) Summarize the information you incorporate by reference.	<i>(1) The reference to cooling water intake structures should be removed since EPA has not issued final regulations for these structures.</i>  <i>(5) This should be eliminated. We see no value in describing alternates that we considered and eliminated.</i>	<u>Analysis.</u> For those environmental resources you have determined may be impacted (i.e., that you have denoted with an “x”), provide a detailed explanation of the expected environmental impacts to the resource caused by each IPF. Referring to the matrix, for those cells that are footnoted, provide a statement as to the applicability to your proposed activities, and where there may be an effect, provide an analysis of the effect. If the feature in question is beyond the reach of any impact from your proposed activities, briefly explain your rationale. Make sure that every analysis focuses on site-specific environmental impacts of the proposed activities. Do not repeat the generalized impacts described in lease sale environmental impact statements (EIS). In your analyses, address the degree of impact, result of impact, duration of impact, recovery time for resource, and degree of recovery. Make sure that the write-up for each environmental resource has its own heading (e.g., topographic features, fisheries). If you are aware of other environmental resources at or near your activity’s site that are not included on the	<i>At the workshop held on Nov 25 by MMS on the EIA required by NTL 2002-G08, it was stated that a discussion of impact or no impact is required for every Environment Resource regardless of if you determine it is impacted or not. This differs from the analysis proposed in 200X-GXX. Also, it was stated that coastal wildlife refuges and wilderness areas are meant to be onshore targets of the OSRA models, and not limited specifically to designated refuges and wilderness areas. Please modify the requirement appropriately.</i>



**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
			matrix, list them in the blank spaces provided in the matrix. If you conducted any study in preparing your EP or DOCD or to comply with a Federal or State agency requirement, describe the nature of the study and its findings.	
			<u>Impacts on your proposed activities.</u> Provide a discussion of the potential impacts on your proposed activities that could result from environmental conditions in the project area (e.g., currents, geohazards). Such environmental conditions may increase the risk of an accident that could cause impacts to environmental resources.	
			<u>Alternatives.</u> Discuss any alternatives that you considered to reduce the environmental impacts of your proposed activity. Describe how each alternative would result in a change in the environmental impact of your proposed activity. If you conducted studies in the development of your alternatives, describe the nature of the studies and their findings.	<i>This should be eliminated. Listing all alternatives that were considered and rejected serves no purpose.</i>
			<u>Mitigation measures.</u> Describe any mitigation that you will employ to avoid, diminish, or eliminate potential impacts on these environmental resources and explain the effectiveness of this mitigation in terms of duration and recovery that might be expected relative to the resource.	
<b>261(d)</b>	<u>Consultation.</u> Your EIA must include a list of agencies and persons you consulted, or you will be consulting, regarding potential impacts associated with your proposed development and production activities.		<u>Consultation.</u> Provide a list of agencies and persons you consulted regarding potential impacts associated with your proposed activities.	
<b>261(e)</b>	<u>References cited.</u> Your EIA must include a list of the references that you cite in the EIA.		<u>References.</u> Include a list of the references you cite in the EIA. Also, summarize all information you incorporate by reference.	<i>What is the purpose and regulatory basis of summarizing all information that is incorporated by reference?</i>
<b>250.262</b>	<b>What administrative information must accompany the DPP or DOCD?</b> The following administrative information must accompany your DPP or DOCD:			
<b>262(a)</b>	<u>Exempted information description (public information copies only).</u> A description of the general subject matter of the proprietary information that is included in the proprietary copies of your DPP or DOCD or its accompanying information.		<u>Exempted information description (public information copies only).</u> Provide a description of the general subject matter of the proprietary information that is included in the proprietary copies of your EP or DOCD or its accompanying	<i>Why is this needed and what will it be used for?</i>

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
			information.	
<b>262(b)</b>	<u>Bibliography.</u> (1) A list of each previously submitted EP, DPP, DOCD, study report, survey report, or other material that you reference in your DPP or DOCD or its accompanying information. (2) The location(s) where the Regional Supervisor can inspect the cited referenced material if you have not submitted it.		<u>Bibliography.</u> Provide a list (with the GOMR control number, if known) of each previously submitted EP, DPP, or DOCD; study report; survey report; or other material that you reference in your EP or DOCD or its accompanying information.	
	<b>Review and Decision Process for the DPP and DOCD</b>			
<b>250.266</b>	<b>After receiving the DPP or DOCD, what will MMS do?</b>			
<b>266(a)</b>	<u>Determine whether deemed submitted.</u> Within 25 working days after receiving your proposed DPP or DOCD and its accompanying information, the Regional Supervisor will deem your DPP or DOCD submitted if: (1) The submitted information, including the information that must accompany the DPP or DOCD (refer to list in § 250.242), fulfills requirements and is sufficiently accurate; (2) You have provided all needed additional information (see § 250.201(b)); and (3) You have provided the required number of copies (see § 250.206(a)).	<i>What is the basis for increasing the timeframe from 20 days to 25 days? We request that plans be deemed submitted within 20 days.</i>  <i>(1) Please explain the meaning of “sufficiently accurate”.</i>  <i>We request that when the plan has been “deemed submitted” that the contact person be notified by fax, letter or e-mail.</i>		
<b>266(b)</b>	<u>Identify problems and deficiencies.</u> If the Regional Supervisor determines that you have not met each of the conditions in paragraph (a) of this section, the Regional Supervisor will notify you of the problem or deficiency. The Regional Supervisor will not deem your DPP or DOCD submitted until you have corrected any problem or deficiency identified in the notice.	<i>When and how will the Regional Supervisor notify you that your plan has a deficiency? We suggest that the notification occur within the timeframe established in 231(a). We request that the notification be made to the contact person by fax, letter or e-mail.</i>		
<b>250.267</b>	<b>What actions will be taken after the DPP or DOCD is deemed submitted?</b>			
<b>267(a)</b>	<u>State, local government, CZM consistency, and other reviews.</u> Within 10 working days after the Regional Supervisor deems your DPP or DOCD submitted under § 250.266(a), the Regional Supervisor will send by receipted mail a public information copy of the DPP or DOCD and its accompanying information to the following: (1) <u>The Governor of each affected State.</u> The Governor has 60 calendar days after receiving your deemed-submitted DPP or DOCD to submit comments and recommendations. The Regional Supervisor will consider comments and recommendations received by the deadline.	<i>The time frame should be changed to 2 days to match the EP. There should be no differences in sending a EP or DPP or DOCD.</i>  <i>In lieu of “receipted” mail, the public information copy should be sent by “overnight” mail. We believe that the cost differential between receipted mail and overnight mail is not significant. If MMS believes the cost is prohibitive, then MMS may request the operator to provide a completed air bill at their expense. Sending the public information copy by</i>		

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<b>Proposed Regulation</b>	<b>Draft May 17, 2002</b>	<b>NTL 200X-GXX</b>
	<p>(2) <u>The executive of any affected local government who requests a copy.</u> The executive of any affected local government has 60 calendar days after receipt of your deemed-submitted DPP or DOCD to submit comments and recommendations. The Regional Supervisor will only consider comments and recommendations received by the deadline. The executive of any affected local government must forward all comments and recommendations to the respective Governor before submitting them to the Regional Supervisor.</p> <p>(3) <u>The CZM agency of each affected State.</u> The CZMA consistency review period under § 307(c)(3)(B)(ii) of the CZMA (16 U.S.C.1456(c)(3)(B)(ii)) and 15 CFR 930.78 begins when the State's CZM agency receives a copy of your deemed-submitted DPP or DOCD, consistency certification, and required necessary data/information (see 15 CFR 930.77(a)(1)).</p>	<p><i>overnight mail will significantly speed up the CZM process.</i></p> <p><i>Alternatively, if the operator provides a complete public information copy in an electronic format, it could be e-mailed.</i></p>		
<b>267 (b)</b>	<p><u>General public.</u> Within 10 working days after the Regional Supervisor deems your DPP or DOCD submitted under § 250.266(a), the Regional Supervisor will make a public information copy of the DPP or DOCD and its accompanying information available for review to any appropriate interstate regional entity and the public at the appropriate MMS Regional Public Information Office. Any interested Federal agency or person may submit comments and recommendations to the Regional Supervisor. Comments and recommendations must be received by the Regional Supervisor within 60 calendar days after the DPP or DOCD and its accompanying information is made available.</p>	<p><i>The timeframe should be modified to 2 working day.</i></p>		
<b>267(c)</b>	<p><u>MMS compliance review.</u> The Regional Supervisor will review the development and production activities in your proposed DPP or DOCD to ensure that they conform to the performance standards in § 250.202.</p>			
<b>267(d)</b>	<p><u>Amendments.</u> During the review of your proposed DPP or DOCD, the Regional Supervisor may require you, or you may elect, to change your DPP or DOCD.</p>			
<b>250.268</b>	<b>How does MMS respond to recommendations?</b>			
<b>268(a)</b>	<p><u>Governor.</u> The Regional Supervisor will accept those recommendations from the Governor that provide a reasonable balance between the national interest and the well-being of the citizens of each affected State. The</p>	<p><i>Consider establishing a timeframe in which the Regional Supervisor must explain in writing to the Governor the reasons for rejecting any of his or her recommendations.</i></p>		

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	Regional Supervisor will explain in writing to the Governor the reasons for rejecting any of his or her recommendations.			
<b>268(b)</b>	<u>Local governments and the public.</u> The Regional Supervisor may accept recommendations from the executive of any affected local government or the public.			
<b>268(c)</b>	<u>Availability.</u> The Regional Supervisor will make all comments and recommendations available to the public upon request.			
<b>250.269</b>	<b>How will MMS evaluate the environmental impacts of the DPP or DOCD?</b> The Regional Supervisor will evaluate the environmental impacts of the activities described in your proposed DPP or DOCD and prepare environmental documentation under NEPA (42 U.S.C.4321 <u>et seq.</u> ) and the implementing regulations (40 CFR parts 1500 through 1508).			
<b>269(a)</b>	<u>Environmental impact statement (EIS) declaration.</u> At least once in each OCS planning area (other than the Western and Central GOM Planning Areas), the Director will declare that the approval of a proposed DPP is a major Federal action, and MMS will prepare an EIS.			
<b>269(b)</b>	<u>Leases or units in the vicinity.</u> Before or immediately after the Director determines that preparation of an EIS is required, the Regional Supervisor may require lessees and operators of leases or units in the vicinity of the proposed development and production activities for which DPPs have not been approved to submit information about preliminary plans for their leases or units.			
<b>268(c)</b>	<u>Draft EIS.</u> The Regional Supervisor will send copies of the draft EIS to the Governor of each affected State and to the executive of each affected local government who requests a copy. Additionally, when MMS prepares a DPP EIS and when an affected State's Federally-approved coastal zone management program requires a DPP NEPA document for use in determining consistency, the Regional Supervisor will forward a copy of the draft EIS to the State's CZM agency. The Regional Supervisor will also make copies of the draft EIS available to any appropriate Federal agency, interstate regional entity, and the public.			
<b>250.270</b>	<b>What decisions will MMS make on the DPP or DOCD and within what timeframe?</b>			
<b>270(a)</b>	<u>Timeframe.</u> The Regional Supervisor will act on your			

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
	deemed-submitted DPP or DOCD as follows: (1) The Regional Supervisor will make a decision within 60 calendar days after the close of the comment period provided in § 267(a)(1), (a)(2), and (b); or the release or adoption of the final EIS for a DPP; or the receipt date of the last amendment to your proposed DOCD, whichever occurs later. (2) Notwithstanding paragraph (a)(1) of this section, MMS will not approve your DPP or DOCD until either: (i) All affected States with approved CZM programs concur, or have been conclusively presumed to concur, with your DPP or DOCD consistency certification under § 307(c)(3)(B)(i) and (ii) of the CZMA (16 U.S.C. 1456 (c)(3)(B)(i) and (ii)); or (ii) The Secretary of Commerce has made a finding authorized by § 307(c)(3)(B)(iii) of the CZMA (16 U.S.C. 1456(c)(3)(B)(iii) (see § 250.274(b)(1)).			
270(b)	MMS decision. By the deadline in paragraph (a) of this section, the Regional Supervisor will take one of the following actions:			
	The Regional Supervisor will ...	if...	And then...	
	(1) Approve your DPP or DOCD	it complies with all applicable requirements	The Regional Supervisor will notify you in writing of the decision and may require you to meet certain conditions, including those to provide monitoring information.	

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation				OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text			Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
	(2) Require you to modify your proposed DPP or DOCD	it fails to make adequate provisions for safety, environmental protection, or conservation of natural resources or otherwise does not comply with the lease, the Act, or the regulations prescribed under the Act or other Federal laws	The Regional Supervisor will notify you in writing of the decision and describe the modifications you must make to your proposed DPP or DOCD to ensure it complies with all applicable requirements.			
	(3) Disapprove your DPP or DOCD	(i) Any of the reasons in § 250.271 apply	(A) The Regional Supervisor will notify you in writing of the decision and describe the reason(s) for disapproving your DPP or DOCD; and (B) MMS may cancel your lease and compensate you pursuant to 43 U.S.C. 1351(h) and the implementing regulations in §§ 250.183, 250.184, 250.185, and 30 CFR 256.77.			
250.271	<b>For what reasons will MMS disapprove the DPP or DOCD?</b> The Regional Supervisor will disapprove your proposed DPP or DOCD if one of the four reasons in this section applies.					
271(a)	<u>Non-compliance.</u> The Regional Supervisor determines					

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	that you have failed to demonstrate that you can comply with the requirements of the Act, implementing regulations, or other applicable Federal laws.			
<b>271(b)</b>	<p><u>No consistency concurrence.</u></p> <p>(1) An affected State has delayed issuing a final decision on your coastal zone consistency certification (see 15 CFR 930.78(a)); or</p> <p>(2) An affected State objects to your coastal zone consistency certification and the Secretary of Commerce, under § 307(c)(3)(B)(iii) of the CZMA (16 U.S.C. 1456(c)(3)(B)(iii)), does not find that each activity described in the DPP or DOCD is consistent with the objectives of the CZMA or is otherwise necessary in the interest of national security.</p> <p>(3) If the Regional Supervisor disapproved your DPP or DOCD for the sole reason that an affected State either has delayed issuing a final decision on or objected to your coastal zone consistency certification (see paragraphs (b)(1) and (2) in this section), the Regional Supervisor will approve your DPP or DOCD upon receipt of concurrence, at the time concurrence is presumed, or when the Secretary of Commerce makes a finding authorized by § 307(c)(3)(B)(iii) of the CZMA (16 U.S.C. 1456(c)(3)(B)(iii)). In that event, you do not need to resubmit your DPP or DOCD for approval under § 250.273(b).</p>			
<b>271(c)</b>	<p><u>National security or defense conflicts.</u> Your proposed activities would threaten national security or defense.</p>			
<b>271(d)</b>	<p><u>Exceptional circumstances.</u> The Regional Supervisor determines because of exceptional geological conditions, exceptional resource values in the marine or coastal environment, or other exceptional circumstances, that all of the following apply:</p> <p>(1) Implementing your DPP or DOCD would cause serious harm or damage to life (including fish and other aquatic life), property, any mineral deposits (in areas leased or not leased), the national security or defense, or to the marine, coastal, or human environment;</p> <p>(2) The threat of harm or damage will not disappear or decrease to an acceptable extent within a reasonable period of time; and</p> <p>(3) The advantages of disapproving your DPP or DOCD</p>			

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	outweigh the advantages of development and production.			
<b>250.272</b>	<b>If a State objects to the DPP's or DOCD's coastal zone consistency certification, what can I do?</b> If an affected State objects to the coastal zone consistency certification accompanying your proposed or disapproved DPP or DOCD, you may do one of the following:			
<b>272(a)</b>	<u>Amend or resubmit your DPP or DOCD.</u> Amend or resubmit your DPP or DOCD to accommodate the State's objection and submit the amendment or resubmittal to the Regional Supervisor for approval. The amendment or resubmittal needs only address information related to the State's objections.	<i>If MMS has approved the DPP or DOCD, then the plan would need to be revised, not amended.</i>		
<b>272(b)</b>	<u>Appeal.</u> Appeal the State's objection to the Secretary of Commerce using the procedures in 15 CFR part 930, subpart H. The Secretary of Commerce will either: (1) Grant your appeal by finding under § 307(c)(3)(B)(iii) of the CZMA (16 U.S.C.1456(c)(3)(B)(iii)) that each activity described in detail in your DPP or DOCD is consistent with the objectives of the CZMA or is otherwise necessary in the interest of national security; or (2) Deny your appeal, in which case you may amend or resubmit your DPP or DOCD, as described in paragraph (a) of this section.	<i>(2) If MMS has approved the DPP or DOCD, then the plan would need to be revised, not amended.</i>		
<b>272(c)</b>	<u>Withdraw your DPP or DOCD.</u> Withdraw your DPP or DOCD if you decide not to conduct your proposed development and production activities.			
<b>250.273</b>	<b>How do I submit a modified DPP or DOCD or resubmit a disapproved DPP or DOCD?</b>			
<b>273(a)</b>	<u>Modified DPP or DOCD.</u> If the Regional Supervisor requires you to modify your proposed DPP or DOCD under § 250.270(b)(2), you must submit the modification(s) to the Regional Supervisor in the same manner as for a new DPP or DOCD. You need submit only information related to the proposed modification(s).			
<b>273(b)</b>	<u>Resubmitted DPP or DOCD.</u> You may resubmit your disapproved DPP or DOCD if there is a change in the conditions that were the basis of its disapproval.			
<b>250.274</b>	<b>When can I expect a decision from MMS on the modified or resubmitted DPP or DOCD?</b> The Regional Supervisor will use the performance standards in § 250.202 to either approve, require you to further modify, or disapprove your modified or			



**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	resubmitted DPP or DOCD. The Regional Supervisor will make a decision within 60 calendar days after the Regional Supervisor deems your modified or resubmitted DPP or DOCD to be submitted or receives the last amendment to your modified or resubmitted DPP or DOCD, whichever occurs later.			
	<b>Post Approval Requirements for the EP, DPP and DOCD</b>			
<b>250.280</b>	<b>How must I conduct activities under the approved EP, DPP, or DOCD?</b>			
<b>280(a)</b>	<u>Compliance.</u> You must conduct all of your lease and unit activities according to your approved EP, DPP, or DOCD and any approval conditions. If you fail to comply with your approved EP, DPP, or DOCD: (1) You may be subject to MMS enforcement action including civil penalty; and (2) The lease(s) involved in your EP, DPP, or DOCD may be forfeited or cancelled under 43 U.S.C. 1334(c) or (d). If this happens, you will not be entitled to compensation under § 250.185(b) and 30 CFR 256.77.	<i>What is considered fail to comply? The plans are very detailed and in many cases the very specific information that is requested (such as waste disposal sites, details of discharges, etc) may not be known in detail at the time the plan is submitted. Also, the information may change from time to time during the life of the proposed action.</i>		
<b>280(d)</b>	<u>Emergencies.</u> Nothing in this subpart or in your approved EP, DPP, or DOCD relieves you of or limits your responsibility to take appropriate measures to meet emergency situations. In an emergency situation, the Regional Supervisor may approve or require departures from your approved EP, DPP, or DOCD.			
<b>250.281</b>	<b>What must I do to conduct activities under the approved EP, DPP, or DOCD?</b>			
<b>281(a)</b>	<u>Approvals and permits.</u> Before you conduct activities under your approved EP, DPP, or DOCD you must obtain the following approvals and or permits, as applicable, from the District or Regional Supervisor: (1) Approvals of applications for permits to drill (see § 250.414); (2) Approvals of production safety systems (see § 250.800); (3) Approvals of new platforms and other structures (or major modifications to platforms and other structures) (see § 250.901); (4) Approvals of applications to install lease term pipelines (see § 250.1007); and			

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<i>Proposed Regulation</i>	<b>Draft May 17, 2002</b>	<i>NTL 200X-GXX</i>
	(5) Other permits, as required by applicable law.			
<b>281(b)</b>	<u>Conformance</u> . The activities proposed in these applications and permits must conform to the activities described in detail in your approved EP, DPP, or DOCD.			
<b>281(c)</b>	<u>Separate State CZM consistency review</u> . Your APDs and other applications and permits to conduct activities under your approved EP, DPP, or DOCD including those identified in paragraph (a) of this section are not subject to separate State CZM consistency review			
<b>281(d)</b>	<u>EP approval restrictions</u> . The District Supervisor or Regional Supervisor will not approve any APDs or other applications and permits under your approved EP until either: (1) All affected States with approved CZM programs concur or are conclusively presumed to concur with your coastal zone consistency certification accompanying your EP under § 307(c)(3)(B)(i) and (ii) of the CZMA (16 U.S.C.1456(c)(3)(B)(i) and (ii)); or (2) The Secretary of Commerce finds, under § 307(c)(3)(B)(iii) of the CZMA (16 U.S.C.1456(c)(3)(B)(iii)) that each activity covered by the EP is consistent with the objectives of the CZMA or is otherwise necessary in the interest of national security. (3) If an affected State objects to the coastal zone consistency certification accompanying your approved EP, you may revise your EP to accommodate the State's objection and submit the revision to the Regional Supervisor for approval.			
<b>250.282</b>	<b>Do I have to conduct post-approval monitoring?</b> After approving your EP, DPP, or DOCD, the Regional Supervisor may direct you to conduct monitoring programs. You must retain copies of all monitoring data obtained or derived from your monitoring programs and make them available to MMS upon request. The Regional Supervisor may require you to:	<i>If monitoring is required, it should be stated in the approval letter.</i>  <i>What kind of monitoring could be required?</i>  <i>How long does the data have to be retained?</i>  <i>What information will be held confidential?</i>		
<b>282(a)</b>	Submit monitoring plans for approval before you begin the work; and			
<b>282(b)</b>	Prepare and submit reports that summarize and analyze data and information obtained or derived from your monitoring programs. The Regional Supervisor will	<i>The current regulation only requires the data to be submitted. To required the operator to analyze the information and submit to MMS goes well beyond</i>		

**Subpart B Proposed Regulation, Plans  
OOC Comments**

<b>Proposed Regulation</b>		<i>OOC Comments</i>	<b>Proposed NTL 200X-GXX</b>	<i>OOC Comments</i>
<b>Section</b>	<b>Text</b>	<b>Proposed Regulation</b>	<b>Draft May 17, 2002</b>	<b>NTL 200X-GXX</b>
	specify requirements for preparing and submitting these reports.	<i>the current regulation.</i>		
<b>250.283</b>	<b>When must I revise or supplement the approved EP, DPP, or DOCD?</b>			
<b>283(a)</b>	<p><u>Revised OCS plans.</u> You must revise your approved EP, DPP, or DOCD when you propose to:</p> <p>(1) Change the type of drilling rig, production facility, or transportation mode;</p> <p>(2) Change the surface location of a well or production platform by a distance more than that specified by the Regional Supervisor;</p> <p>(3) Change the type of production or significantly increase the volume of production or storage capacity;</p> <p>(4) Increase the emissions of an air pollutant to an amount that exceeds the amount specified in your approved EP, DPP, or DOCD;</p> <p>(5) Significantly increase the amount of solid or liquid wastes to be handled or discharged;</p> <p>(6) Request a new H<sub>2</sub>S area classification or increase the concentration of H<sub>2</sub>S to a concentration greater than that specified by the Regional Supervisor;</p> <p>(7) Change the onshore support base you are using; or</p> <p>(8) Change any other activity specified by the Regional Supervisor.</p>	<p><i>(1)What is meant by changing the type of production facility?</i></p> <p><i>(3)What is meant by change the type of production. How much does the production rate or storage capacity have to increase before it is considered significant?</i></p> <p><i>(4) This should be changed to exceeds the exemption limit.</i></p> <p><i>(5)How much does the wastes have to change to be significant?</i></p> <p><i>(7) This should be limited to using an onshore support base in another state.</i></p> <p><i>(8) Overly broad.</i></p>		
<b>283(b)</b>	<p><u>Supplemental OCS plans.</u> You must supplement your approved EP, DPP, or DOCD when you propose to conduct activities on your lease(s) or unit that require approval of an application or permit and are not covered by your approved EP, DPP, or DOCD. These types of changes are called supplemental OCS plans.</p>			
<b>250.284</b>	<b>How will MMS require revisions to the approved EP, DPP, or DOCD?</b>			
<b>284(a)</b>	<p><u>Periodic review.</u> The Regional Supervisor will periodically review the activities you conduct under your approved EP, DPP, or DOCD and may require you to submit updated information on your activities. The frequency and extent of this review will be based on the significance of any changes in available information and onshore or offshore conditions affecting or affected by the activities in your approved EP, DPP, or DOCD.</p>			
<b>284(b)</b>	<p><u>Significant changes in information or conditions.</u> The Regional Supervisor may require you to revise your</p>	<i>This is overly broad.</i>		

Subpart B Proposed Regulation, Plans  
OOC Comments

Proposed Regulation		OOC Comments	Proposed NTL 200X-GXX	OOC Comments
Section	Text	Proposed Regulation	Draft May 17, 2002	NTL 200X-GXX
	approved EP, DPP, or DOCD if significant changes in available information or in conditions affecting or affected by the activities being conducted under the EP, DPP, or DOCD have occurred or are occurring.			
250.285	How do I submit revised and supplemental EPs, DPPs, and DOCDs?			
285(a)	<u>Submittal</u> . You must submit to the Regional Supervisor any revisions and supplements to approved EPs, DPPs, or DOCDs for approval, whether you initiate them or the Regional Supervisor orders them.			
285(b)	<u>Information</u> . Revised and supplemental EPs, DPPs, and DOCDs need include only information related to or affected by the proposed changes, including information on changes in expected environmental impacts.			
285(c)	<u>Procedures</u> . All supplemental EPs, DPPs, and DOCDs, and those revised EPs, DPPs, and DOCDs that the Regional Supervisor determines are likely to result in a significant change in the impacts previously identified and evaluated, are subject to all of the procedures under § 250.231 through § 250.235 for EPs, and § 250.266 through § 250.274 for DPPs and DOCDs.			